



MEMORANDUM
COMMUNITY DEVELOPMENT RESOURCE AGENCY
PLANNING SERVICES DIVISION
County of Placer

TO: Honorable Board of Supervisors **DATE:** August 23, 2022
FROM: David Kwong, Community Development Resource Agency Director
BY: Nick Trifiro, Senior Planner
SUBJECT: Appeal Of the Planning Commission's Denial of the 3M Event Center Conditional Use Permit (PLN22-00053)

ACTIONS REQUESTED

1. Conduct a Public Hearing to consider an appeal filed by the property owner, Gus Mathiopoulos on behalf of Mathiopoulos 3M Family LP;
2. Deny the appeal filed by the property owner, Gus Mathiopoulos;
3. Uphold the Planning Commission's June 9, 2022 decision to deny the 3M Event Center Conditional Use Permit (PLN22-00053); and
4. Find that the project is statutorily exempt from environmental review pursuant to provisions of Section 15270 of the California Environmental Quality Act Guidelines and Section 18.36.010 (G) of the Placer County Environmental Review Ordinance (Projects which are disapproved).

BACKGROUND

On February 8, 2022, Gus Mathiopoulos, on behalf of Mathiopoulos 3M Family LP (Appellant) filed a Conditional Use Permit application to permit daily rental of a former 11,000 square foot restaurant building as an event center to conduct indoor events including music, weddings, birthdays, quinceañeras, and private meetings. The 5.3-acre parcel is the Penryn Parkway Business Park located at 3129 Penryn Road in Penryn immediately northwest of Interstate 80. The business park includes other commercial buildings in addition to the former restaurant, as well as a gas station and convenience store. A paved parking and circulation area provides common parking facilities for the retail center, gas station, and former restaurant building. The project site borders Penryn Road to the west, undeveloped property to the east, Interstate 80 to the southeast, and undeveloped property (future Penryn Townhomes PSUB20060767) to the north.

Setting

The parcel is located in the Penryn Parkway area of the Horseshoe Bar/Penryn Community Plan and is zoned Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor. The Penryn Parkway is a mixed-use area and due to its proximity to Interstate 80 and necessary public infrastructure (e.g., sewer and water services), the designation is intended to provide services to both local residents and travelers along the freeway. Such uses may include multifamily residential, professional office and commercial uses.

The Community Plan includes several goals and policies that are applicable to the project. The Community Plan addresses compatibility with neighboring land uses (Community Development Element, Goal 2.f.) and maintaining the "...Penryn Parkway Commercial area as a Highway Service oriented retail area which also allows for residential uses" (Community Development Element, Goal 2.i.). Goal 2.i further states "...development should carefully consider impacts on

surrounding land uses..." Public Facilities & Services Policy 3e. states the "Intensity of use of individual parcels and buildings shall be governed by considerations of: health and safety, impact on adjoining properties due to noise, traffic, night lighting, or other potentially disturbing conditions; and protection of natural land characteristics. Visibility of structures, preservation of natural landform and natural resources, topography, noise exposure, maintenance of rural quality, and compatibility with to the surrounding properties, shall be considered in preparing subdivision designs..." and Public Facilities & Services Policy 6.a.4 states "Consider public safety issues in all aspects of commercial, industrial and residential project design."

Event Center History

The restaurant building was initially constructed in 1960 and operated as a restaurant until its closure in recent years. The Penryn Parkway Business Park portion of the site was added in 2005 and has operated since that time. The restaurant had operated continuously from 1960 to 2017. After closure of the restaurant in 2017, the Appellant began to operate the building as an event center, but without an approved Conditional Use Permit.

In April and May 2019, the Appellant submitted two Business License applications to permit the property as a commercial event center. The County reviewed both applications and informed the Appellant in a letter dated May 10, 2019, that the licenses could not be approved unless a Conditional Use Permit was first sought and approved. The Appellant's representatives contacted front counter staff on at least two occasions after receiving the letter to question the use permit requirement and were provided with this same information.

On November 18, 2021, the Planning Services Division was contacted by the Placer County Sheriff's Office (PCSO) regarding unpermitted events at the former restaurant building that were expected to draw large crowds scheduled for November 26, 2021 and December 10, 2021. Promotional materials for the events indicated the events would have amplified music and "bottle service". On November 22, 2021, the Planning Services Division notified the Appellant that 3M Event Center was prohibited from conducting any events (Attachment B, Planning Commission Staff Report at page 35 (*Attachment D*)). On November 23, 2021, a Temporary Outdoor Event application was submitted to the Planning Services Division for the events. The applicant (Eric Stephens on behalf of the 3M Event Center) was informed that there is generally a 60-day lead time for such applications. The PCSO also received an application for a license from the California Department of Alcoholic Beverage Control (ABC) to serve alcohol for the November 26, 2021 event. The ABC license was also denied since there was no Conditional Use Permit to operate an event center. Despite being notified that the events were prohibited, the November 26, 2021 event was held and resulted in approximately 200 cars on the property and the arrests of two individuals for illegally possessing a firearm. A calendar for the 3M Event Center listed seven additional events scheduled for December 2021 and another five for January of 2022.

On December 2, 2021, Code Compliance staff issued a Notice of Violation to prevent any further events from occurring until a Conditional Use Permit and Business License were obtained. On December 7, 2021, County Counsel filed an application with the Placer County Superior Court for a temporary restraining order and preliminary injunction to prevent any further events from occurring at the site. The temporary restraining order was granted by the court on December 8, 2021, and the preliminary injunction was granted on January 19, 2022. The injunction prohibits the Appellant from holding any events on the site until trial or further Court order. As of this writing, a trial is scheduled to occur in January 2023.

Conditional Use Permit Request

The Appellant is now seeking approval of a Conditional Use Permit to bring the parcel into compliance with requirements of the County Zoning Ordinance. The project proposes to allow daily rental of the former 11,000 square foot restaurant building as an event center for indoor events, such as small concerts, parties, weddings, birthdays, quinceañeras, and private meetings. The Appellant proposes event center hours of operation to occur daily from 9:00 AM to 12:00 AM, with no time restrictions for clean-up work to be performed after the events. The Appellant also requests that a maximum attendance of 240 persons be allowed for any event, and that there are no requirements to include event center staffing to support event operations and to enforce limitations on attendance or hours of operation. No exterior building or site improvements are proposed as part of the project.

JUNE 9, 2022 PLANNING COMMISSION HEARING

The proposed Conditional Use Permit was heard by the Planning Commission on June 9, 2022. At that hearing, staff presented an overview and analysis of the Conditional Use Permit request. The presentation included a discussion of the Appellant's history of operating the former restaurant building as an event center without a use permit and the resulting public safety issues and law enforcement activities that resulted. Staff further described that these and related issues were raised by members of the Horseshoe Bar/Penryn Municipal Advisory Council (MAC) and meeting attendees at MAC meetings held on March 22, 2022 to receive an informational presentation of the project, and on May 24, 2022 to hear the project as an action item and make a recommendation to the Planning Commission.

Also discussed at the Planning Commission hearing was staff's unsuccessful attempts to work with the Appellant to voluntarily incorporate operational controls and limitations to ensure that project operations are consistent with Community Plan policies pertaining to compatibility with neighboring Penryn Parkway area land uses, and to ensure protection of the public, health, safety, and welfare. Those operational controls included proposed limitations on hours of operation and event attendance, and provision of event staffing for security purposes.

The Appellant originally proposed to operate the event center from 6:00 AM to 1:30 AM up to seven days per week, while staff proposed they restrict hours of operation to occur from 6:00 AM to 10:00 PM, with clean-up crews allowed to remain onsite until 11:00 PM. The Appellant responded during the hearing that they were willing to reduce their hours of operation to occur between 9:00 AM to 12:00 AM daily, with no time restrictions for clean-up crews. The Appellant also originally proposed a maximum of 325 attendees for any given event, but staff requested that the Appellant limit attendance to 150 persons. The Appellant stated during the hearing that they were only willing to reduce the maximum number of attendees to 240 persons. Lastly, the Appellant proposed that renters would remain responsible for all event operations during their rental period and did not propose any event staffing, despite County staff requests to provide event staffing to ensure compliance with operational limitations and site security. Staff reiterated that other event facilities in the County have staff onsite during events that are employees of the event centers. Incorporation of these requirements and limitations would ensure operational parity between the 3M Event Center project and other similar event center operations in the nearby area.

Two comment letters (emails) were received prior to the hearing in opposition of the project. Both letters raised concerns regarding the lack of event security, hours of operation, and parking lot safety issues due to poor site conditions. In addition, two persons provided verbal testimony in

opposition to the project during public comment. Comments focused on the inconsistency of events with the Horseshoe Bar/Penryn Community Plan policies, compatibility with an adjoining residential use (the future Penryn Townhomes project which has been approved for construction on the property directly to the north of the project site), type of events allowed, large crowds, lengthy hours of operation, and parking lot capacity and safety.

The Planning Commission considered staff's analysis and the testimony from the public and then discussed these issues with the Appellant. The Appellant stated his disagreement with proposed operational controls including staff's proposed limitations, claiming that it would negatively affect his ability to operate the business. Following a lengthy discussion of these issues with the Appellant the Planning Commission closed the public hearing and took action (6-0) to unanimously deny the Conditional Use Permit. The report prepared for the June 9, 2022 Planning Commission hearing is included with this report as Attachment B.

LETTER OF APPEAL

An appeal of the Planning Commission's decision to deny the Conditional Use Permit was filed by the Appellant on June 14, 2022 (Attachment A). The appeal letter contends that the Appellant's understanding from the June 9, 2022 Planning Commission hearing is that if "...we went along with the terms the Planning Department proposed it should be no problem..." Therefore, the Appellant is "...accepting the Planning Department's proposed conditions." The Appellant is referring to a letter included with his appeal submittal that was sent to him on March 28, 2022 by Planning Services Division staff (Nick Trifiro) which proposed operational controls for the Appellant to consider pertaining to event security, attendance, and hours of operation.

RESPONSES TO LETTER OF APPEAL

1. The Appellant asserts that his understanding is that if he went along with the terms the Planning Services Division proposed it should be no problem.

Staff Response

Even if terms County staff requested in the March 28, 2022, letter were considered and accepted by the Appellant, staff has determined there would be no degree of certainty that any operational restrictions would be followed given the historical lack of compliance with County restrictions, as discussed earlier in this report. The Appellant's lack of compliance was further demonstrated by the Appellant's discussion of past actions at the Planning Commission hearing. At that hearing, the Appellant indicated that on June 3, 2019 he applied for a business license to operate the event center and informed County staff he would open in July 2019. The Appellant further stated that he started holding events in 2020 and 2021, and claimed he was not aware his business license was not approved until November 30, 2021. However, County staff did inform the Appellant in a letter dated May 10, 2019, that the licenses could not be approved unless a Conditional Use Permit was first sought and approved. The Appellant's representatives also contacted front counter staff on at least two occasions after receiving the letter to question the use permit requirement and were provided with this same information. Lastly, on November 22, 2021, the Planning Services Division notified the Appellant that 3M Event Center was prohibited from conducting any events.

During the MAC meeting on March 22, 2022 and at the Planning Commission hearing, the Appellant made it clear his preference for no event center staff by indicating he did not want to charge renters to pay for event security. During past operations, the Appellant has held that renters are solely responsible for all event operations during their rental period. Event operations would not

be hosted by any professional staff supplied by the event center operator. Other event facilities in the County have staff onsite that are employees of the event centers and who are responsible for the facility operations to ensure that renters comply with the operational allowances and limitations. This includes ensuring maximum attendance rates are not exceeded and that event operations cease at prescribed times. Event staff who are part of the facility rental agreement are an important aspect for ensuring that operational allowances and limitations are followed, and that standards of public health and safety are maintained.

2. The Appellant asserts that he accepts the Planning Services Division's proposed conditions.

Staff Response

The purpose of staff's letter sent to the Appellant on March 28, 2022, was to follow up with the Appellant in addressing specific concerns raised by MAC members, the public, and shared by County staff following the presentation of the project as an information item at the Horseshoe Bar/Penryn MAC meeting held on March 22, 2022. The letter identifies operational controls to address event security, limitations on attendance and hours of operation which the Appellant could consider. In the letter, staff requested the following:

1. Provide staffing for any events that have over 50 attendees (with the exception of any events involving worship services), at a ratio of one staff person for every 75 attendees;
2. Limit attendance to a maximum of 150 attendees for any given event rather than the 325 persons requested by the Appellant in the original application filing; and
3. Limit hours of operation from 6:00 AM to 9:00 PM rather than 6:00 AM to 1:30 AM as requested by the Appellant in the original application filing.

Staff did not prepare the language in the letter as project conditions, but as terms the Appellant could consider. Since the Appellant never agreed to any of these terms, staff did not move forward with preparing conditions for the Conditional Use Permit.

In correspondence received by staff prior to the Planning Commission hearing, the Appellant indicated he was not willing to provide event center staffing, was only willing to limit attendance to 240 persons and hours of operation from 9:00 AM to 12:00 AM with no time restrictions for clean up crews. At the Planning Commission hearing, the Appellant stated that security could be provided for concert events, but that he did not agree to require renters to pay for event center staffing for other events such as birthdays and weddings. The Appellant indicated he was opposed to charging \$250 to renters to provide event staffing because the renters wouldn't feel comfortable with making such payments, even if the cost was built into the rental contract. The Appellant questioned the need to provide event center staffing, and after some discussion, he stated that his family members could provide staffing for events. However, he was unwilling to limit maximum attendance to less than 240 persons and did not agree to restrict event center hours.

While the building can accommodate 240 guests as can the existing parking so long as large events occur during periods when parking demand is low in the remainder of the business park, staff has determined that without other operational controls, events of this size could easily get out of control and become a threat to public health and safety and are more likely to disproportionately impact law enforcement services. Accordingly, staff feels that the 150-person event attendance limitation proposed by staff and rejected by the Appellant is the maximum

number that could be appropriate, but only if other limitations on event hours and staffing are implemented.

County staff requested the Appellant incorporate provisions to provide staffing for events as described in the March 22, 2022, letter and explained that the event staff do not have to necessarily be professional security personnel but need to be capable of ensuring events are run in an orderly and safe manner. Prior to the Planning Commission hearing, the Appellant proposed that renters would remain responsible for all event operations during their rental period (as has been the operational model up to this point) and that event operations would not be hosted by any professional staff supplied by the event center operator. Staffing of events through volunteering family members as the Appellant has proposed at the Planning Commission hearing is not the equivalent to hiring staffing with event management experience. Other event facilities in the County have staff onsite that are employees of the event centers and who are responsible for the facility operations to ensure that renters comply with the operational allowances and limitations.

Event hours for commercial event centers are not specifically limited by Placer County Code Section 17.56.340 (Community Center, Commercial Event Center, Agricultural Event Center). However, staff has evaluated this issue in concert with the goals and policies of the Penryn Parkway portion of the Horseshoe Bar Community Plan and in recognition that the project will adjoin a residential land use, the future Penryn Townhomes project which has been approved for construction on the property directly to the north of the project site, and believes this limitation would ensure consistency with the Community Plan policy structure and compatibility with the adjoining future residential land use. Allowing clean-up crew operations to occur 24 hours a day, seven days a week, and allowing events to occur until 12:00 AM on weeknights would detrimentally impact neighbors and the community.

RECOMMENDATION

Based on the analysis above, staff recommends the Board of Supervisors uphold the decision of the Planning Commission and deny the appeal, as supported by the following findings:

California Environmental Quality Act

The project is statutorily exempt from environmental review pursuant to provisions of Section 15270 of the California Environmental Quality Act Guidelines (Projects Which are Disapproved) and Section 18.36.010 (G) of the Placer County Environmental Review Ordinance (Statutory exemptions) on the grounds that the project proposal should not be approved.

Conditional Use Permit

1. The proposed use is not consistent with the applicable policies and requirements of the Horseshoe Bar/Penryn Community Plan and the Placer County General Plan. Although the event center is an allowed use under the Penryn Parkway Community Plan designation with approval of a Conditional Use Permit, the Appellant has a history of defying property use restrictions and has made multiple public statements that he would not accept use restrictions of this property. County Staff made numerous attempts to work with the Appellant to incorporate requirements for event staffing, restrictions on hours of operation, and limitations on maximum attendance for event use, to ensure the project would not result in conflicts with Community Plan policies, compatibility impacts to neighboring land uses, nor impacts to public health and safety. Despite being notified by the Planning Services Division on multiple occasions through written and verbal communications that unpermitted scheduled private events were prohibited, the Appellant held the November 26, 2021 event and claimed he held events prior to that date in 2020 and 2021. Furthermore, after the preliminary injunction was

granted in favor of Placer County in January 2022 to prohibit any further events from being held, the Appellant continued to post banners on the property advertising rental availability of the 3M Event Center.

2. The operation of the proposed use will, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County because the Appellant has a history of defying property use restrictions and has made multiple public statements that he would not accept use restrictions of this property. County Staff made numerous attempts to work with the Appellant to incorporate requirements for event staffing, restrictions on hours of operation, and limitations on maximum attendance to ensure the project would not result in noise, traffic or safety impacts to adjoining land uses or the community in general. Despite being notified by the Planning Services Division on multiple occasions through written and verbal communications that unpermitted scheduled private events were prohibited, the Appellant held the November 26, 2021 event and claimed he held events prior to that date in 2020 and 2021. Furthermore, after the preliminary injunction was granted in favor of Placer County in January 2022 to prohibit any further events from being held, the Appellant continued to post banners on the property advertising rental availability of the 3M Event Center.
3. The operation of the proposed use would not be consistent with the character of the immediate neighborhood and would be contrary to its orderly development, as evidenced by the historical lack of compliance with County use restrictions. Staff does not believe the Appellant would comply with the County imposition of requirements for event staffing, restrictions on hours of operation, or limitations on maximum attendance for event use, which would result in adverse effects to neighbors, the community, and adjacent residential land uses, including but not limited to the future Penryn Townhomes project which has been approved for construction on an adjoining property. For instance, despite being notified by the Planning Services Division on multiple occasions through written and verbal communications that unpermitted scheduled private events were prohibited, the Appellant held the November 26, 2021 event and claimed he held events prior to that date in 2020 and 2021. Furthermore, after the preliminary injunction was granted in favor of Placer County in January 2022 to prohibit any further events from being held, the Appellant continued to post banners on the property advertising rental availability of the 3M Event Center.

FISCAL IMPACT

The actions requested with this item have no fiscal impact.

ATTACHMENTS

Attachment A: Appeal Letter submitted June 14, 2022

Attachment B: June 9, 2022 Planning Commission Staff Report (with attachments)

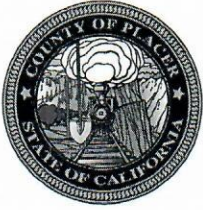
ATTACHMENT A

To whom it may concern,

We are filing to appeal the planning commission decision. From what the commission proposed and what we understood from the meeting, if we went along with the terms the planning department proposed it should be no problem. After a discussion it would be in our best interest to accept the terms the planning department proposed.

We are accepting the planning department's proposed conditions. The only change which the planning department agreed to was that the hour of operations could be from 9am to 10pm. Be please attached for reference.

Thank you,
Gus



PLACER COUNTY
Community Development Resource Agency

Auburn Office: 3091 County Center Drive
Tahoe City Office: 775 North Lake Blvd

(530) 745-3000
(530) 581-6200

Receipt

Permit #: **PLN22-00053**
Receipt #: **22-0492342**

Payment Status: Paid
Payment Date: 06/14/2022
Payment Method: Check
Check # or UID: 1387
Payment Received from: 3M EVENT CENTER
7945 KING RD
LOOMIS CA 95650

PL-APL	Appeal	\$641.00
Total Payment		\$641.00

March 28, 2022

Kostantinos (Gus) Mathiopoulos
Mathiopoulos 3M Family Ltd. Partnership
7945 King Road
Loomis, CA 95650

RE: 3M Event Center Conditional Use Permit (PLN22-00053)

Dear Mr. Mathiopoulos,

The purpose of this letter is to follow up with you to address specific concerns raised by MAC members, the public, and shared by County staff after the 3M Event Center CUP project was presented as an information item at the Horseshoe Bar/Penryn MAC meeting held on March 22, 2022.

The following are the key issues that were identified at the meeting:

Event Security

Several persons stated that rental of the event center should include event security as a standard provision of the facility rental with security personnel provided by the event center operator. County staff agrees that security should automatically be provided for any events that have over 50 attendees. One security guard should be present for every 75 attendees, so an event with 150 attendees would have two security staff and those security resources would be provided by the event center operator as part of the rental agreement. Security services for smaller events with less than 50 attendees should not be necessary. A private security company may be used for events, or you could contact the Placer County Sheriff's Department to inquire if they can provide personnel for security purposes.

Limiting Attendance

In your application you have indicated attendance will range from 20 to 325 persons, with an average attendance of 150. For similar projects in the County, a maximum of either 120 or 150 attendees are allowed for any given event. In order to be consistent with these past projects in the County and to reduce the potential for traffic, safety and other compatibility concerns in the Penryn Parkway area, staff proposes that there would be no more than 150 attendees at any event and the Use Permit conditions of approval would incorporate this limitation.

Hours of Operation

You have proposed to operate 3M Event Center from 6 a.m. to 1:30 a.m. The proposed Event Center should operate in a manner that is compatible with adjacent residential land uses (Penryn Town homes to be constructed) in the Penryn Parkway area. Furthermore, the public health, safety and welfare of the Penryn community should be

taken into account. Therefore, daily hours of operation could begin at 6 a.m, however, staff proposes that event center hours would limit events to end at 9 p.m.

Please respond at your earliest opportunity to outline your whether you will agree to incorporate these operational limitations to your project or to describe alternative provisions that would achieve a comparative outcome. Please call me at (530) 745-3069 if you have any questions.

Respectfully,

A handwritten signature in cursive script, reading "Nick Trifiro".

Nick Trifiro
Senior Planner



ATTACHMENT B

COMMUNITY DEVELOPMENT RESOURCE AGENCY PLANNING SERVICES DIVISION County of Placer

HEARING DATE: June 9, 2022
ITEM NO.: 2
TIME: 10:20 A.M.

TO: Placer County Planning Commission
FROM: Nick Trifiro, Senior Planner
DATE: May 31, 2022
SUBJECT: 3M EVENT CENTER
CONDITIONAL USE PERMIT (PLN22-00053)
STATUTORY EXEMPTION
SUPERVISORIAL DISTRICT 3 (HOLMES)

COMMUNITY PLAN AREA: Horseshoe Bar/Penryn Community Plan

GENERAL / COMMUNITY PLAN DESIGNATION: Penryn Parkway

ZONING: C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor)

ASSESSOR PARCEL NUMBER: 043-060-062-000

STAFF PLANNER: Nick Trifiro, Senior Planner

LOCATION: 3129 Penryn Road, Penryn

APPLICANT: Gus Mathiopoulos, on behalf of Mathiopoulos 3M Family LP

PROPOSAL:

The applicant requests approval of a Conditional Use Permit to allow daily rental of a former 11,000 square foot restaurant building as an event center for indoor events, including music, weddings, birthdays, quinceaneras, and private meetings.

CEQA COMPLIANCE:

The recommended action is statutorily exempt from environmental review pursuant to Section 15270 of the California Environmental Quality Act Guidelines and Section 18.36.010 (G) of the Placer County Environmental Review Ordinance (Projects which a public agency rejects or disapproves).

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sacramento Bee*. Other appropriate public interest groups and citizens were sent copies of the public hearing notice. Community Development Resource Agency staff including the Engineering and Surveying Division, Department of Public Works, Environmental Health Services, the Fire Department and the Air Pollution Control District were transmitted copies of the project plans and application for review and comment. Comments from agency staff have been addressed in the analysis section of this report. No public comments were received at the time of report preparation.

SITE CHARACTERISTICS:

The subject parcel is located at the Penryn Parkway Business Park at 3129 Penryn Road in Penryn and is immediately north of Interstate 80. The project site is a former 11,000 square foot restaurant building within the southeastern portion of a 5.3-acre parcel. The Penryn Parkway Business Park retail center includes buildings along the northern and southern boundaries of the property. In addition, a mini-mart/gas station is located on the southwest corner of the property. A paved parking area, covering a majority of the property on two separate tiers, provides parking spaces for the retail center, gas station, and former restaurant building.

The project site borders Penryn Road, undeveloped property and a church to the west, undeveloped property to the east, Interstate 80 to the south, and undeveloped property (future Penryn Townhomes PSUB20060767) to the north.

The project site is located within the Penryn Parkway area of the Horseshoe Bar/Penryn Community Plan and is zoned Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor. The Penryn Parkway is a mixed-use area and due to its proximity to Interstate 80 and necessary public infrastructure (e.g., sewer and water services), the designation is intended to provide services to both local residents and travelers along the freeway. Such uses may include multifamily residential, professional office and commercial uses.

EXISTING LAND USE AND ZONING:

Location	Zoning	Placer County General Plan	Existing Conditions and Improvements
Site	C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor)	Penryn Parkway	Former restaurant building in Penryn Parkway Business Park
North	C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor)	Penryn Parkway	Undeveloped; future multifamily residential development (Penryn Townhomes)
South	RA-B-X 4.6 Ac. Min. (Residential Agricultural, combining Minimum Building Site of 4.6 Acres)	Rural Estate 4.6-20 Acre Minimum	Interstate 80
East	RA-B-X 4.6 Ac. Min. (Residential Agricultural, combining Minimum Building Site of 4.6 Acres)	Rural Estate 4.6-20 Acre Minimum	Undeveloped
West	C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor)	Penryn Parkway	Penryn Road, vacant property, Church (Hope Lutheran Church), multifamily residential (Orchard at Penryn)

BACKGROUND:

The project proposes to allow daily rental of the former restaurant building as an event center. The building was constructed in 1960 and operated as a restaurant until its closure in recent years. After its closure, the applicant began to operate the building as an event center through daily rental for various private events, but without an approved Conditional Use Permit.

In May 2019, the applicant submitted a Business License application to license the property as a commercial event center. The County reviewed the application and informed the applicant in a letter dated May 10, 2019 that the license could not be approved since compliance with all requirements to operate a commercial event center were not met, including prior approval of a Conditional Use Permit (Attachment C Applicant

representatives contacted front counter staff on at least two other occasions after receiving the letter to question the use permit requirement and were provided with this same information.

On November 18, 2021, the Planning Services Division was contacted by the Placer County Sheriff's Office (PCSO) regarding unpermitted events scheduled for November 26, 2021 and December 10, 2021 at the former restaurant building that were expected to draw large crowds. Promotional materials for the events indicated the events would have amplified music and "bottle service". On November 22, 2021, the Planning Services Division notified the applicant that 3M Event Center was prohibited from conducting any events (Attachment D). On November 23, 2021, a Temporary Outdoor Event application was submitted to the Planning Services Division for the events, but the applicant (Eric Stephens on behalf of the 3M Event Center) was informed that there is generally a 60-day lead time for such applications. The PCSO also received an application for a license from the California Department of Alcoholic Beverage Control (ABC) to serve alcohol for the November 26, 2021 event. The ABC license was also denied since there was no Conditional Use Permit to operate an event center. Despite being notified that the events were prohibited, the November 26, 2021 event was held anyways and resulted in approximately 200 cars on the property and the arrests of two individuals for illegally possessing a firearm. A calendar for the 3M Event Center listed seven additional events scheduled for December 2021 and another five for January of 2022.

On December 2, 2021, Code Compliance issued a Notice of Violation to prevent any further events from occurring until a Conditional Use Permit and Business License was obtained. On December 7, 2021, County Counsel filed an application with the Placer County Superior Court for a temporary restraining order and preliminary injunction to prevent any further events from occurring at the site. The temporary restraining order was granted by the court on December 8, 2021, and the preliminary injunction was granted on January 19, 2022. The injunction prohibits the applicant from holding any events on the site until trial or further Court order. As of this writing, a trial is scheduled to occur in January 2023.

The applicant is now seeking approval of a Conditional Use Permit to bring the parcel into compliance with requirements of the County Zoning Ordinance.

PROJECT DESCRIPTION:

The project proposes to allow daily rental of a former 11,000 square foot restaurant building as an event center for indoor events, such as small concerts, parties, weddings, birthdays, quinceaneras, and private meetings. The applicant proposes event center hours of operation to occur daily from 9 am to 12 am, with no time restrictions for clean-up work to be performed after the events. The applicant also requests that a maximum attendance of 240 persons be allowed. No exterior building or site improvements are proposed as part of the project.

The existing parking area that would serve the event center includes 163 parking spaces and serves other existing businesses in the Penryn Parkway Business Park retail center, including a gas station.

DISCUSSION OF ISSUES:

Community Plan Consistency / Neighborhood Compatibility

The project site is located within the Penryn Parkway area of the Horseshoe Bar/Penryn Community Plan (Community Plan). The Penryn Parkway is a mixed-use area. Due to its proximity to Interstate 80 and existing public infrastructure such as sewer and treated water service, the designation is intended to provide services to both local residents and travelers along the freeway. Land uses identified in the community plan as desirable and consistent with the Parkway designation include multifamily residential, professional office, commercial uses, and highway services.

The Community Plan includes several goals and policies that are applicable to the project. The Community Plan addresses compatibility with neighboring land uses (Community Development Element, Goal 2.f.) and maintaining the "...Penryn Parkway Commercial area as a Highway Service oriented retail area which also allows for residential uses" (Community Development Element, Goal 2.i.). Goal 2.i further states "...development should carefully consider impacts on surrounding land uses..." Public Facilities & Services

Policy 3e. states the “Intensity of use of individual parcels and buildings shall be governed by considerations of: health and safety, impact on adjoining properties due to noise, traffic, night lighting, or other potentially disturbing conditions; and protection of natural land characteristics. Visibility of structures, preservation of natural landform and natural resources, topography, noise exposure, maintenance of rural quality, and compatibility with to the surrounding properties, shall be considered in preparing subdivision designs...” and Public Facilities & Services Policy 6.a.4 states “Consider public safety issues in all aspects of commercial, industrial and residential project design.”

Due to known issues with how the facility has been operating and problems that have occurred that are concerning to the Placer County Sheriff and the community, staff has requested that the applicant voluntarily incorporate operational controls and limitations that would ensure that project operations are consistent with Community Plan policies regarding compatibility with neighboring land uses in the Penryn Parkway area, and that would ensure protection of the public, health, safety, and welfare. Staff's analysis has determined that limitations and operational controls need to be placed on the proposed event center to achieve compatibility, however the applicant has been unwilling to incorporate these proposals as discussed further below.

Event Staffing

The applicant proposes that renters would remain responsible for all event operations during their rental period (as has been the operational model up to this point) and that event operations would not be hosted by any professional staff supplied by the event center operator. In other words, if the Conditional Use Permit is granted the operator would rent the facilities to private parties without including any staffing supplied by the event center operator. Under such a circumstance, staff has determined that there is no reasonable certainty that any operational requirements, limitations, or event controls would be followed as has already been demonstrated during the prohibited event that was conducted in November 26, 2021. Other event facilities in the County have staff onsite that are employees of the event centers and who are responsible for the facility operations to ensure that renters comply with the operational allowances and limitations. This includes ensuring maximum attendance rates are not exceeded and that event operations cease at prescribed times. Event staff that are part of the facility rental agreement are an important aspect for ensuring that operational allowances and limitations are followed, and that standards of public health and safety are maintained. Accordingly, County staff requested the applicant incorporate provisions to provide staffing for any events that have over 50 attendees (with the exception of any events involving worship services), at a ratio of 1 staff person for every 75 attendees. Staff explained that the event staff do not have to necessarily be professional security personnel, but need to be capable of ensuring events are run in an orderly and safe manner. In correspondence with County staff, the applicant stated he is not willing to provide any event staffing as a requirement of event center rental.

Hours of Operation

The applicant originally proposed to operate the event center from 6 am to 1:30 am up to seven days per week. Staff proposed to the applicant that they restrict hours of operation to occur from 6am to 10pm, with clean-up crews allowed to remain onsite until 11pm. The applicant responded they are willing to reduce their hours of operation from 9 am to 12 am, but that no restrictions would be placed on clean-up crew operation.

Although Section 8 (Hours of Operation) of the Zoning Ordinance (17.56.340 Community Center, Commercial Event Center, Agricultural Event Center) does not specifically limit event hours for commercial event centers, staff has evaluated this issue in concert with the goals and policies of the Penryn Parkway portion of the Horseshoe Bar Community Plan as well as the fact that the project will adjoin a residential land use, the future Penryn Townhomes project which has been approved for construction on the property directly to the north of the project site, and believes this limitation would ensure consistency with the Community Plan policy structure and compatibility with the adjoining future residential land use. Allowing clean-up crew operations to occur 24 hours a day, seven days a week, and allowing events to occur until 12 am on weeknights would detrimentally impact neighbors and the community. Even if restrictions on hours of operation were incorporated, County staff has determined there would be no degree of certainty that the hours of operation would be observed nor that any other operational restrictions such as maximum

attendance rates would be adhered to given the historical lack of compliance with County restrictions, and the applicant's preference for no event center staff.

Limitations on Attendance

The applicant originally proposed a maximum number of 325 attendees be allowed for any given event. In order to maintain compatibility with adjacent land uses and traffic safety, staff requested the applicant voluntarily limit attendance to a maximum of 150 attendees. A majority of the attendees will be arriving and leaving the parking area at the same time, which is unlike the previous restaurant use where customers arrived and left the restaurant throughout the day. In addition, parking spaces would need to be shared with other businesses in the business park that remain open. The applicant has responded that they are only willing to reduce the maximum number of attendees to 240 persons. While the building can accommodate this number of guests as can the existing parking so long as large events occur during periods when parking demand is low in the remainder of the business park, staff has determined that without other operational controls such as limitations on event hours or the provision of event staffing, events of this size can easily get out of control and become a threat to public health and safety, and are more likely to disproportionately impact law enforcement services. Accordingly, staff feels that the 150-person event attendance limitation proposed by staff and rejected by the applicant is the maximum number that could be appropriate, but only if other limitations on event hours and staffing are implemented.

HORSESHOE BAR/PENRYN MUNICIPAL ADVISORY COUNCIL:

The Horseshoe Bar/Penryn Municipal Advisory Council (MAC) heard an informational presentation on the proposed 3M Event Center Conditional Use Permit on March 22, 2022. The MAC and community members expressed specific concerns, based on past events, the lack of event security, large number of event attendees, late hours of operation, law enforcement issues, potential for traffic, and impacts to neighboring businesses and property in the Penryn community. On May 24, 2022, the proposed project was presented as an "Action" item at the MAC. At this meeting, the MAC and community members continued to express similar concerns raised at the informational meeting on March 22. In addition, further issues were raised including parking lot safety due to existing site conditions and the ability to monitor/enforce future events to meet limitations and operation controls (event security, hours of operation, and limitations on attendance). After discussion of these concerns, the MAC unanimously approved a motion to recommend that the Planning Commission take action to deny the project as it was presented (Vote: 6-0).

RECOMMENDATION:

Based on the analysis contained in this report, staff recommends that the Planning Commission **deny** this Conditional Use Permit (PLN22-00053) to permit a daily rental of a former 11,000 square foot restaurant building as an event center, subject to the findings included below.

FINDINGS:

CEQA

The project is statutorily exempt from environmental review pursuant to provisions of Section 15270 of the California Environmental Quality Act Guidelines and Section 18.36.010 (G) of the Placer County Environmental Review Ordinance (Statutory exemptions). There is no exception to this finding.

Conditional Use Permit

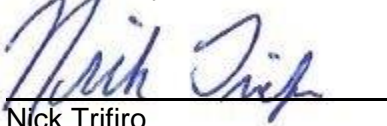
The Planning Commission, having considered the staff report, supporting documents and public testimony, the Planning Commission hereby finds that:

1. The proposed use is not consistent with the applicable policies and requirements of the Horseshoe Bar/Penryn Community Plan and the Placer County General Plan. Although the event center is an allowed use under the Penryn Parkway Community Plan designation with approval of a Conditional Use Permit, the applicant is unwilling to comply with the County's request for event staffing, restrictions on hours of operation, and limitations on maximum attendance for event use, which would

result in conflicts with Community Plan policies addressing compatibility with neighboring land uses and would result in impacts to public health and safety.

2. The operation of the proposed use will, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County because the applicant is unwilling to comply with the County's request for event staffing, restrictions on hours of operation, and limitations on maximum attendance, all of which are designed to reduce/eliminate impacts of noise/traffic/safety to neighbors.
3. The operation of the proposed use would not be consistent with the character of the immediate neighborhood and would be contrary to its orderly development, because the applicant is unwilling to comply with the County's request for event staffing, restrictions on hours of operation, and limitations on maximum attendance for event use which would adversely affect neighbors, the community, and adjacent residential land uses, including but not limited to the future Penryn Townhomes project which has been approved for construction on an adjoining property.

Respectfully submitted,



Nick Trifiro
Senior Planner

ATTACHMENTS

Attachment A – Vicinity Map and Zoning Map

Attachment B – Site Plan

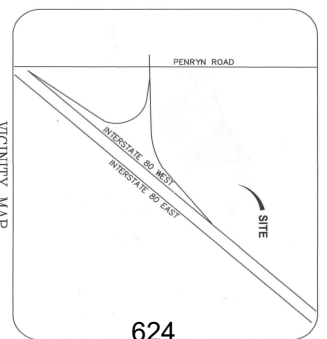
Attachment C – Business License Request Letter

Attachment D – Letter Pertaining to Unpermitted Events at 3M Event Center

cc: Jane Christenson – Interim CDRA Director
EJ Ivaldi – Planning Director
Clayton Cook – County Counsel
Brad Brewer – Flood Control
Ted Rel – Parks Division
Michelle Darling – Environmental Engineering
Angel Green – CDRA/Air Quality
Katie Jackson – Public Works
Danielle Pohlman – Environmental Health
Michelle Lewis – Engineering and Surveying Division
Horseshoe Bar/Penryn MAC



Proposed Event Center



VICINITY MAP
NOT TO SCALE

624

**PRE-DEVELOPMENT
MAPPING**

SECTION 2, T.11 N., R.7 E., M.D.B.&M.
PLACER COUNTY, CALIFORNIA
SCALE: 1"=40' AUGUST 2018

**ANDREGG
PSOMAS**

PROJECTED AT THE REQUEST OF
PLACER COUNTY
DATE OF FINAL SURVEY
08/20/2018
DATE OF GROUND SURVEY
08/20/2018



May 10, 2019

3M Event Center
Attn.: Alexander Mathiopoulos
3129 Penryn Rd.
Loomis, CA 95650

Assessor's Parcel Number: 043-060-062-000

SUBJECT: Business License for 3M Event Center

Dear Mr. Mathiopoulos,

Our department recently received your application for a business license to review for 3M Event Center. Unfortunately I can't approve your license due to a Minor Use Permit being required for an event center. I have included the original Conditional Use Permit-Conditions of Approval with the pertinent highlighted sections. Also please find the enclosed application forms.

Should you have any questions you can contact me at 530-745-3030 or by email at eburns@placer.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Erika Burns".

Erika Burns
Assistant Technician
Community Development Department | Planning Division
(530)745-3030 | eburns@placer.ca.gov





**CONDITIONS OF APPROVAL - CONDITIONAL USE
PERMIT/VARIANCE - PENRYN PARKWAY BUSINESS PARK
(CUP-2648/VAA-3616)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Conditional Use Permit (CUP-2648) authorizes the construction of one two-story professional office/retail buildings with a total floor space of 28,304 sq. ft.; seven one-story professional office/retail buildings with a total floor space of 26,336 sq. ft.; upgrading an existing gas station to include a new car wash, a new canopy, and two additional fuel dispensers; and construction of additional parking. The Design/Site Review process may reduce the total floor area of the proposed buildings as indicated above. This permit also approves a Variance (VAA-3616) to the parking requirement of 255 spaces to allow 225 spaces; to increase the size of two existing freestanding signs by allowing an additional 60 sq. ft. to the Interstate-80 (300 sq. ft. total) and to increase the Penryn Road sign from 32 sq. ft. to 64 sq. ft.

On May 8, 2003, the Planning Commission approved a two-year Extension of Time of this Permit. A Variance (VAA-4089) to the height limit was also approved allowing 33' for Building 6A/6B as shown on the approved site plan. Conditions 1 and 41 were modified.

On March 11, 2004, the Planning Commission approved a Conditional Use Permit Modification authorizing the relocation of the planned improvements to the existing gas station to the forth phase (new third phase) and inclusion of Buildings 2 and 3 in the first phase of construction along Buildings 1, 7, 8, & 9. Condition 1 was modified. Conditions 42 and 43 were added.

On January 10, 2008, the Planning Commission modified Conditions 1 and 3.

2. The following Standard Condition #'s ip3, 8, 13, 15, 20, 24, 27; g1; rt5, 11, 15; mc10; eh15, 27, 40; ps2; ap1, 2a, and 3, apply to this project as printed in Volume 7, Number 1, dated March 5, 2001, and as listed below 2 A) thru S).

A) Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. (CR/MM) (DPW)

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B) All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, formerly Chapter 29), Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and DPW concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the DPW.

Submit to the DPW a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/DPW for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/DPW to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. **(SR/CR) (DPW)**

C) Storm drainage from on-site impervious surfaces shall be collected and routed through specially designed catchbasins, vaults, filters, etc. for entrapment of sediment, debris and oils/greases as approved by DPW. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catchbasin cleaning program shall be provided to DPW upon request. Failure to do so will be grounds for

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Conditional Use Permit revocation. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(CR/MM) (DPW)**

D) **ADVISORY COMMENT:** This project is subject to construction-related storm water permit requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Any required permits shall be obtained through the State Regional Water Quality Control Board or EPA. **(FR/SR) (DPW)**

E) Provide the DPW with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(CR) (DPW)**

F) The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Departments of Environmental Health Services and Public Works a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. **(CR) (DPW/EHS)**

G) Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer. **(CR) (DPW)**

H) Prior to issuance of an Early Grading Permit to allow for on-site rough grading, the applicant must submit Improvement Plans and any related documents as required by these conditions of approval to DPW for review. The review for the initial submittal of the Improvement Plans must be completed by DRC and satisfactorily address issues relating to dust control, tree removal, wetlands, protective fencing, grading, drainage, and erosion control.

Upon DRC determination that an Early Grading Permit may be issued, the applicant shall prepare a separate Rough Grading Plan and submit it to DPW for review and approval. Separate plan check, inspection and winterization fees will be required and will be based on the engineer's estimate. If design/site review process and/or DRC review is required as a condition of approval for this project, said review(s) shall be completed prior to the issuance of the Early Grading Permit.

ADVISORY COMMENT: The Improvement Plans shall be approved by DPW prior to the issuance of any Building Permits. **(CR/MM) (DPW/PD)**

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I) Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the DPW prior to the approval of the Improvement Plans. Provide right-of-way dedications to the State, as required, to accommodate existing and future highway improvements. **(SR/CR) (DPW)**

J) All on-site parking and circulation areas shall be improved with a durable, all-weather surface capable of supporting anticipated vehicle loadings.

ADVISORY COMMENT: It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(CR) (DPW)**

K) An Encroachment Permit shall be obtained from DPW prior to Improvement Plan approvals for any landscaping within public road rights-of-way. **(CR) (DPW)**

L) During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(CR) (DPW)**

M) Construction noise emanating from any construction activities for which a Building Permit or Grading Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:

A) Monday through Friday, 6:00 AM to 8:00 PM

B) Saturdays, 8:00 AM to 6:00 PM

This condition shall be noted on the Improvement Plans and in the Development Notebook, if one is required for this project.

ADVISORY COMMENT: Essentially, quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions. **(CR) (EHS/PD)**

N) Contact Environmental Health Services, pay required fees, and obtain a permit to operate a food establishment prior to opening for business. All food handling operations shall comply with the requirements of Placer County Code and the California Uniform Retail Food Facilities Law. **(SR/CR) (EHS)**

O) **ADVISORY COMMENT:** If Best Management Practices are required by the DPW for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. **(CR) (EHS)**

P) Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. **(CR) (EHS)**

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Q) The applicant shall submit a dust control plan to the APCD no later than 45 days prior to groundbreaking. The applicant shall not break ground prior to receiving APCD approval of the dust control plan. **(MM) (APCD)**

R) The applicant shall ensure that no open burning occurs on this property during the development of this project. **(CR/MM) (APCD)**

S) The applicant shall ensure that the project conforms with all APCD Rules and Regulations. Contact the APCD to review any rules that may apply to specific types of projects. **(CR) (APCD)**

3. This Conditional Use Permit can be developed in a single phase or in as many as five phases. The phasing plan is located on the approved site plan. The first phase must be developed within two years of the approval of this permit. The project shall be considered exercised by satisfying the requirements of Section 17.58.160 of the Placer County Zoning Ordinance (Permit Time Limits, Exercising of Permits, and Extensions).
4. The perimeter landscaping and irrigation and the sidewalk and trail along Penryn Road shall be installed with the first phase.
5. Each phase shall be required to satisfy the parking requirements for the building use and size proposed.
6. All phases of this project shall be subject to review and approval by the Placer County Design/Site Review Committee (D/SRC). The Penryn MAC shall review the first phase of the project. Such a review shall be conducted prior to the submittal of the Improvement Plans for the project and shall include, but not be limited to: architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; recreational facilities; snow storage areas; recreation vehicle storage area(s); fences and walls; noise attenuation barriers; all open space amenities; etc. **(CR) (PD)**
7. Prior to the Design Review approval for the first phase, the applicant shall submit to the D/SRC for review and approval design guidelines for development of all phases approved by this Conditional Use Permit. The design guidelines shall be reviewed by the Penryn Municipal Advisory Council (MAC).

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8. The buildings approved by this permit shall be constructed to reflect the areas historical nature (i.e. Japanese heritage, Gold Rush era, English settlement).
9. The following uses shall not be permitted within this development:
 - a. Outdoor storage or sales
 - b. Drive-thru restaurants
 - c. Truck stop or terminals
 - d. Any other use considered by the Planning Director **not** to be consistent with this Conditional Use Permit approval.
10. The following uses shall be permitted within the development in addition to what currently exists:
 - a. Restaurants, with an approved parking plan
 - b. Banks and Financial Services
 - c. Offices
 - d. Low Intensity Retail Sales
 - e. Business Support Services
 - f. Personal Services
 - g. Any other use considered by the Planning Director to be consistent with the C1 (Neighborhood Commercial) Zoning and this Conditional Use Permit.
11. All exterior lighting associated with the development of this project shall implement the dark sky standards as set forth by the Illuminating Engineering Society of North America (IESNA) to the maximum extent possible. Light poles shall not exceed 14' from ground level to the top of the fixture. Final details of the lighting proposal shall be determined as a part of the Design
12. If there is any business that proposes to locate within the complex that requires similar parking standards as the restaurant or is patronized during the evening, the DRC shall review and approve a parking plan for that business prior to issuance of a business license.

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13. Any change in use of the existing buildings currently located on-site shall require review and approval by the DRC prior to issuance of a building permit or business license approval.
14. All phases of the project shall maintain a 7.5' setback from the buildings to the northern and eastern property line. The 7.5' setback is intended for landscaping and therefore does not include the area needed for the retaining wall
15. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).
If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project.
Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. **(SR/CR/MM) (PD)**
16. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$880 for projects with Environmental Impact Reports and \$1,280 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination (which the County is required to file within 5 days of the project approval) is not operative, vested or final and shall not be accepted by the County Clerk. **(SR) (PD)**
17. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as Penryn Parkway Business Park. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an

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administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision.

This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (CC)

18. The applicant shall obtain a construction Activity Storm Water Permit for the project from the California Regional Water Quality Control Board prior to Improvement Plan approval for the first phase.

IMPROVEMENT PLANS

19. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the DPW for review and approval of each project phase. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the DPW prior to acceptance by the County of site improvements.

ADVISORY COMMENT: Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety. (SR/CR/MM) (DPW)

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ADVISORY COMMENT: Technical review of the Final Map shall not commence until the Improvement Plans are approved by the DPW. **(CR)(DPW)**

The applicant shall provide 5 copies of the approved Tentative Map and 2 copies of the approved conditions with the plan check application.

20. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the DPW for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall address storm drainage during construction and thereafter and shall propose "Best Management Practice" (BMP) measures to reduce erosion, water quality degradation, etc. Said BMP measures for this project shall include: Minimizing drainage concentration from impervious surfaces, construction management techniques, erosion protection at culvert outfall locations, filter fabric fencing, straw bale barriers, san/oil separators, hydroseeding and landscaping. **(CR/MM) (DPW)**
21. Storm water run-off shall be reduced to of pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of DPW. The DPW may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(CR/MM) (DPW)**
22. Submit to DPW, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:
 - A) Road, pavement, and parking area design
 - B) Structural foundations, including retaining wall design (if applicable)
 - C) Grading practices
 - D) Erosion/winterization

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- E) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the DPW, two copies of the final report shall be provided to the DPW and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, would lead to structural defects, additional investigations, prior to issuance of Building Permits, may be required. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(SR/CR/MM) (DPW)**

ROADS/TRAILS

- 23. Construct a commercial driveway onto Penryn Road to a Plate 23, LDM standard. The design speed of the roadway shall be 35 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. **(CR) (DPW)**
- 24. Construct a left-turn lane at the project entrance at Penryn Road. Traffic striping shall be done by the developer's contractor. The removal of existing striping and other pavement markings shall be completed by the developer's contractor. The design shall conform to criteria specified in the latest version of the Caltrans *Highway Design Manual* for a design speed of 35 mph, unless an alternative is approved by DPW. **(CR/MM) (DPW)**
- 25. With the project's first phase construct one-half of an 84' road section plus concrete curb, gutter, and a 6'-wide sidewalk where the project fronts Penryn Road, as measured from the existing centerline thereof or as directed by the DPW. Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bikelanes, or conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB, unless otherwise approved by DPW. **(CR) (DPW)**

MAY, 2001

MAY, 2003

MARCH, 2004

JANUARY, 2008

26. Delineate a Class III bikeway along the project's frontage on Penryn Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to DPW/DRC review and approval. **(CR) (DPW)**

27. Public equestrian/pedestrian trails shall be provided in conjunction with the first phase of the project as follows. Maintenance of all trails shall be by the property owner. Provide an Irrevocable Offer of Dedication (IOD) to the County for a minimum 15' wide trail (or as otherwise approved by the Parks Division). This trail shall be a public, non-motorized, multi-use trail easement routed along the project's frontage along Penryn Road. The trail shall provide access to properties to the north and south of the project. The trail shall be constructed to the following standards, unless otherwise approved by the Parks Division. The tread width shall be a minimum of 4'-6' (outslope at ½" per foot). Tread shall be graded and constructed of 4" compacted, decomposed granite. Clearing should be 10' above ground, and 1' on either side of the trail tread. Water must be diverted from the trail's surface before it builds up to erosive force. To divert water, use outslopes, grade dips, waterbars, and ditches in conjunction with inslopes and culverts. The crossing of any wetland areas shall also be reviewed and approved by the DRC, Parks Division, and the Department of Fish and Game, and shall be bridged to provide public safety while preserving the existing wetlands habitat. Seeding, and planting as necessary for erosion control shall also be reviewed by the Parks Division.

ADVISORY COMMENT: It is intended that the trail network plan be flexible. Changes to the location described in this condition may be made with the mutual consent of the applicant, the DRC, Parks Division, and other interested parties.

Multi-use trails located adjacent to the thoroughfares shall be placed as far as practical from the traveled way, while remaining within the right-of-way. **(CR) (DPW/PD/DFS)**

ENVIRONMENTAL HEALTH

28. The project shall conform to the Noise Element of the Horseshoe Bar Penryn Plan and the environmental document. Buildings located along the freeway will require enhanced window construction on the freeway side of the buildings. The windows will need to be of sealed construction with ½ inch plate glass if single pane or dual pane with ¼ inch glass and a minimum of ½ inch air space. **(CR/MM) (EHS)**

29. The owner of this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. **(CR) (EHS)**

MAY, 2001

MAY, 2003

MARCH, 2004

JANUARY, 2008

PUBLIC SERVICES

30. Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from SPMUD indicating that the district can and will provide sewerage service to the project. Connection of each lot in this project to sanitary sewers is required. **(CR) (EHS)**
31. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:
- A) **(Pacific Gas & Electric Company)**
 - B) **(SPMUD Sewer District)**
 - C) **(PCWA Water District)**
 - D) **(Auburn/Placer Refuse Collection Company)**
- If such "will serve" letters were obtained as a part of the environmental review process, and are still valid, they shall not be required again. **(CR) (DPW)**
32. Prior to the approval of the Improvement Plans, submit to Environmental Health Services, for review and approval, a "will-serve" letter or a "letter of availability" from PCWA for domestic water service. The applicant shall connect the project to this treated domestic water supply. **(CR) (EHS)**

GENERAL DEDICATIONS/EASEMENTS

33. Dedicate to Placer County one-half of an 84'-wide highway easement (Ref. Chapter 12, Article 12.08 (formerly Chapter 4, Subchapter 5, Placer County Code) where the project fronts Penryn Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the DPW. **(CR) (DPW)**

NOTIFICATION TO FUTURE BUYERS

34. Electrical outlets shall be installed on the exterior walls of all buildings to promote the use of electric landscape maintenance equipment. **(APCD)**

MAY, 2001

MAY, 2003

MARCH, 2004

JANUARY, 2008

35. The applicant shall provide reserved parking spaces for carpools. These spaces shall be identified with a sign or marking on the asphalt indicating parking only for carpools. (APCD)

FEES

36. The applicant shall implement sufficient off-site mitigation strategies to reduce the project's long-term criteria (*i.e.*, ozone precursor, particulate matter, carbon monoxide) air pollutant emissions below the District's significance threshold. In lieu of implementing an off-site mitigation program, the applicant can agree to pay into the Air Pollution Control District's Off-site Air Quality Mitigation Fund an amount of money equal to reducing the project's increase in air pollutant emissions. The Air Pollution Control District uses this money to reduce air pollution emissions throughout Placer County from sources of emissions that are not required by law to reduce their emissions. Based on the project's current development proposal, the applicant would have to pay \$7,500 into the Off-site Air Quality Mitigation Fund to reduce 40% of this project's emissions.
37. **ADVISORY COMMENT:** This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code.) The current estimated development fee is \$1,677 per acre, payable to DPW prior to building permit issuance. The actual fee shall be that in effect at the time payment occurs. (CR) (DPW)
38. **ADVISORY COMMENT:** This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code). Prior to building permit final, the applicant shall cause the subject property to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$344 per acre. (CR) (DPW)
39. **ADVISORY COMMENT:** This project is subject to payment of traffic impact fees as prescribed by the *Placer County Road Network Traffic Limitation Zone and Traffic Fee Program*

MAY, 2001

MAY, 2003

MARCH, 2004

JANUARY, 2008

The current estimated fee is \$3,570 per dwelling unit equivalent, however, the actual fee paid will be that in effect at the time payment occurs. This fee is payable prior to the issuance of any Building Permit on any lot or for any portion of the project. **(CR) (DPW)**

40. The applicant shall enter into an agreement with Placer County DPW to employ a third party (outside) consultant to provide inspection services on all on and off-site improvements associated with the Project's Improvement Plans. All costs involved in providing the inspection services shall be borne by the applicant.
41. The applicant shall have 24 months to exercise this Conditional Use Permit/Variance. Unless exercised pursuant to Condition #2, this approval shall expire on May 24, 2005. **(SR/CR) (PD)**
42. No building permit finals, authorized by this Conditional Use Permit, shall be granted until installation of the perimeter landscaping and irrigation along Interstate-80 and Penryn Road and construction of the sidewalk and trail along Penryn Road have been completed.
43. Approval of a Building permit final for Buildings 1, 2, and 3 can be granted in advance of a building permit final for Buildings 7, 8, and 9 subject to satisfying all Placer County Building Department requirements for a building permit final and satisfying the requirements imposed by condition #42.

MAY, 2001
MAY, 2003
MARCH, 2004
JANUARY, 2008

**PLACER COUNTY
COMMUNITY DEVELOPMENT RESOURCE AGENCY
Environmental Coordination Services**

3091 County Center Drive, Suite 190, Auburn CA 95603

Telephone: 530-745-3132 Fax: (530) 745-3003

Web Page: <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs.aspx>

PRE-DEVELOPMENT MEETING PACKAGE

1. Meeting Request Form

2. Site Plan Requirements

When is a Pre-Development Meeting required?

A mandatory Pre-Development Meeting is required prior to submitting an Environmental Questionnaire (EQ) for any of the following projects: Conditional Use Permits, Major Subdivisions (over 4 lots), General Plan Amendments, Rezonings and Specific Plans.

Can a Pre-Development Meeting be scheduled if not required?

Yes, an applicant can request a voluntary Pre-Development Meeting when the project does not fall within the categories above (for example, Minor Use Permit, Minor Land Division also known as Parcel Map, Variance, Design Review, etc).

Who attends Pre-Development Meetings?

The applicant and/or representative will meet with staff from the Planning Division, Engineering and Surveying Division, DPW Transportation, Parks and Environmental Engineering & Utilities in Facility Services, Environmental Health Services, Air Pollution Control District, Flood Control District, Fire Department, Sheriffs, and Building Division.

What is the purpose of the Pre-Development Meeting?

The purpose is to advise applicants of the procedural and informational requirements for submitting an EQ prior to obtaining a permit for a new land development project in Placer County.

Is there a fee for a Pre-Development Meeting?

Yes, the non-refundable filing fee for a Pre-Development Meeting shall accompany this Meeting Request Form. Checks shall be made payable to "Placer County".

What happens after the meeting?

Based on the various department checklists provided at the Pre-Development Meeting, it is the responsibility of the applicant or their representative to gather all pertinent information and any required technical studies needed. Once an EQ is ready to be submitted, please contact Environmental Coordination Services at 530-745-3132 to schedule an appointment to submit the application and required processing fees.

- ✓ Once a Pre-Development Meeting has been held, an EQ will not be accepted without an appointment with Environmental Coordination Services.
- ✓ The more detailed information you provide in advance, the more detailed information you will receive at the Pre-Development Meeting.
- ✓ The information provided at the Pre-Development Meeting expires one year after the date of the meeting.

**THIS IS NOT AN APPLICATION.
ADDITIONAL SITE PLANS & DETAILED INFORMATION WILL BE REQUIRED WITH
THE ENVIRONMENTAL QUESTIONNAIRE (EQ) APPLICATION
and/or PROJECT APPLICATION.**

**PLACER COUNTY
COMMUNITY DEVELOPMENT RESOURCE AGENCY
Environmental Coordination Services**

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Web Page: <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs.aspx>

PRE-DEVELOPMENT MEETING REQUEST FORM

FOR INTAKE, STAFF USE ONLY

File # _____

Fee Paid _____ Receipt # _____ Date Received: _____

Received By _____ Zoning _____

APPLICANT: Complete all sections below that apply. Please print legibly.

Applicant Name _____ Company _____

Street Address _____

City _____ State _____ Zip Code _____

Day Phone _____ Fax _____ E-Mail _____

Owner's Name _____ Company _____

Street Address _____

City _____ State _____ Zip Code _____

Day Phone _____ Fax _____ E-Mail _____

APN (s) _____

Project Proposal _____

Development Site Address or Location _____

Cross Street _____ Sq. ft./Acreage _____

1. **Attach one copy of Assessor's Page with parcel identified.**
2. **Attach twenty (20) 8.5 x 11 inch conceptual site plans of the project** (or larger and folded to same size). The plan must be clear, legible and reproducible, and must include the following information:
 - Subdivisions – Conceptual layout of proposed subdivision design (approximate location of lots, roads, etc.).
 - Commercial projects – Existing and proposed structures (gross floor area) and parking areas.
 - Approximate area of the parcel (in square feet or acres).
 - All existing and proposed streets and/or parking areas.
 - Approximate location of all creeks.
 - Appropriate location of trees.
 - North arrow and approximate scale of drawing.
 - Vicinity map which shows the location of the subject property, in relation to existing County roads and adjacent properties, sufficient to identify the property in the field for someone unfamiliar with the area. The distance of the closest intersection of County roads should be shown to the nearest 1/10th of a mile.

Note: Conceptual building elevations must be submitted for design review requests.

Please complete this chart. Write "N/A" if a specific description does not apply to the proposal.

ALL PROPOSALS	EXISTING	PROPOSED
Uses and structures on property		
On-site parking		
Hours of operation		
Number of employees		
Number of residents		
Number of clients/users		
Square footage		
Number of stories		
Number of residential units		
Streets providing site access		
Water supply: If groundwater, is there known contamination? Y___ N___		
Sewer Connection: Does project propose to connect to a public sewer system? Y___ N___		
Sewage disposal: If on-site treatment and disposal is proposed, has soil testing been performed: Y___ N___ If Yes, when (date): _____		
Public use canal or waterway on site		
Other streams on site		
Underground storage tanks		
Is project a sensitive noise receptor (e.g. residential, school, offices)? Y___ N___ If Yes, what is nearby? What is noise source?		
Hazardous substance use		
Identify past/proposed land uses, i.e. industrial/commercial, agriculture, mining		
What are the surrounding land uses?		
For properties located within zoning districts that allow the keeping of cattle and livestock, does this proposal include allowing for the keeping of cattle and livestock?		

LAND DIVISIONS		
Number of lots		
Types of housing		

List any specific questions that you want answered at the Pre-Development Meeting:

1. _____
2. _____
3. _____
4. _____
5. _____

**THIS IS NOT AN APPLICATION.
ADDITIONAL SITE PLANS & DETAILED INFORMATION WILL BE REQUIRED
WITH THE ENVIRONMENTAL QUESTIONNAIRE (EQ) APPLICATION
and/or PROJECT APPLICATION.**



PLACER COUNTY PLANNING SERVICES DIVISION

AUBURN OFFICE
3091 County Center Dr, Auburn, CA 95603
530-745-3000/FAX 530-745-3080
Website : www.placer.ca.gov
E-mail : planning@placer.ca.gov

TAHOE OFFICE
775 North Lake Blvd., Tahoe City, CA 96146
PO Box 1909, Tahoe City, CA 96145
530-581-6280/FAX 530-581-6282

INITIAL PROJECT APPLICATION

(For Office Use Only)

G.P. Designation _____ Posters _____ File #'s _____
_____ Affordable Housing _____
General Plan/Community Plan _____ Taxes _____ Accepted by _____
_____ Tax Rate Area _____ Date filed _____
Zoning _____
Major Project: Yes ___ No ___ Geographic Team: _____ Hearing Body _____
Pre-Development Meeting Date _____ Acceptable for Filing _____

Planner Signature

-- TO BE COMPLETED BY THE APPLICANT --

1. Project Name _____
2. Property Owner _____
Mailing Address _____
Telephone _____ Fax _____ E-Mail _____
3. Applicant _____
Mailing Address _____
Telephone _____ Fax _____ E-Mail _____
4. Size of Property (acreage or square footage) _____
5. Assessor's Parcel Number(s) _____
6. Project Location _____

(Be specific: cross streets, distance and direction from nearest intersection, etc.)

7. What actions, approvals, or permits by Placer County does the proposed project require?
- | | | |
|----------------------------------|---|------------------------------------|
| ___ Additional Building Site | ___ Environmental Questionnaire | ___ Minor Use Permit |
| ___ Administrative Approval | ___ Extension of Time | ___ Project undertaken by County |
| ___ Administrative Review Permit | ___ General Plan Amendment | ___ Rezoning |
| ___ Certificate of Compliance | ___ Major Subdivision (5+ parcels) | ___ Specific Plan Admin. Modif. |
| ___ Conditional Use Permit | ___ Minor Boundary Adjustment | ___ Specific Plan Amendment |
| ___ Design Review | ___ Minor Subdivision (4 and under parcels) | ___ Specific Plan Density Transfer |
| ___ Other – Explain _____ | | ___ Variance |

Does the proposed project need approval by other governmental agencies? ___ Yes ___ No. If so, which agencies?

8. Which agencies, utility companies provide the following services? **This information must be ACCURATE!**

Electricity _____ Fire Protection _____ Sewer _____
Telephone _____ Natural Gas _____ Water _____
High School _____ Elementary School _____ Other _____

9. Describe the project in detail so that a person unfamiliar with the project would understand the purpose, size, phasing, duration and construction activities associated with the project. In response to this question, please attach additional pages, if necessary.

10. I hereby authorize the above-listed applicant to make application for project approvals by Placer County, to act as my agent regarding the above-described project, and to receive all notices, correspondence, etc. from Placer County regarding this project, or
11. As owner I will be acting as applicant. In addition, as owner, I will defend, indemnify, and hold Placer County harmless from any defense costs, including attorneys' fees or other loss connected with any legal challenge, brought as a result of an approval concerning this entitlement. I also agree to execute a formal agreement to this effect on a form provided by the County and available for my inspection.
12. The signature below authorizes any member of the Placer County Development Review Committee (DRC), and other County personnel as necessary, to enter the property/structure(s) that is (are) the subject of this application.

Signature(s) of Owner(s):

Please Print

If application is for a Boundary Line Adjustment, signature of both the transferring and acquiring property owners are required. Boundary Line Adjustments shall not be used to create new parcels.

Signature of Transferring Property Owner

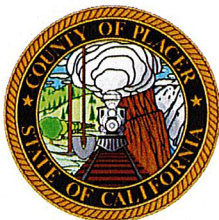
Please Print

Signature of Acquiring Property Owner

Please Print

The Planning Division is prohibited from accepting applications on tax delinquent properties pursuant to Board of Supervisors direction.

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon the entitlements conferred by Placer County permit approval(s), the applicant should consult with the California Department of Fish & Game (DFG) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish & Game Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. Fees may be required to be paid to the Department of Fish and Game for their participation in the environmental review process as required by State law. **The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.**



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PO Box 1909, Tahoe City, CA 96145
530-581-6280/FAX 530-581-6282

EXEMPTION VERIFICATION

Fee \$ _____ Receipt # _____ Accepted by _____ Date Received: _____ Permit #: _____

--TO BE COMPLETED BY APPLICANT--

Assessor's Parcel Number(s) _____
Property Owner _____
Mailing Address _____ City _____ State _____
Phone _____ E-mail address _____
Project Location – Be Specific _____
Proposed Project _____

For Extension of Time applications only: Was an environmental document previously adopted/certified? **YES** **NO**
If yes provide State Clearinghouse Number here: _____ If no complete checklist below. _____

	YES	NO
1. Are any trees located on the property within 50' of any proposed grading? (if yes , show all tree locations and their driplines within 50' of any grading activity)	_____	_____
2. Is the project within a floodplain?	_____	_____
3. Are any archaeological, cultural, or historical sites present?	_____	_____
4. Are any wetlands, riparian areas, or vernal pools present onsite?	_____	_____
5. Are any rare, threatened, or endangered species present onsite?	_____	_____
6. Is the project within an overflight zone of any airport?	_____	_____
7. Can the project impact, or be impacted by, either landfill operations, or sewage disposal facilities?	_____	_____
8. Is the project within the Tahoe Basin?	_____	_____
9. Is there any grading associated with this project?	_____	_____
10. Is there a significant amount (10,000 sq. ft. or more) of impervious surface (paving, roof, sidewalk, etc.) proposed?	_____	_____
11. Is there a potential for increased traffic?	_____	_____

Signature of individual completing this form _____ Printed name and telephone number _____

--TO BE COMPLETED BY REVIEWER--

Previous Environmental Document (Extension of Time applications only) _____
Categorical Exemption Class and Number _____
Project Planner _____
Field Verification Date _____
Field Planner _____
Name _____ Title _____



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CONDITIONAL USE PERMIT/MINOR USE PERMIT

Filing fee: \$ _____ Type: _____ File # _____
Receipt # _____ Hearing Date _____

-----TO BE COMPLETED BY THE APPLICANT-----

1. Project Name _____
2. Applicant _____
Mailing Address _____
Telephone _____ E-Mail _____
3. Project Description _____

PLEASE SUBMIT A WELL-DETAILED SITE PLAN (see instructions for requirements)

4. Assessor's Parcel Number(s) _____
5. Applicable County Code section requiring Use Permit _____

SIGNATURE OF APPLICANT: _____

INDEMNIFICATION AGREEMENT: *I, the Applicant, will defend, indemnify, and hold harmless the County from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of an approval concerning this Entitlement. I also agree to execute a formal agreement to this effect on a form provided by the County and available for my inspection.*

SIGNATURE OF APPLICANT: _____

PERMITS GRANTED FOR AN INDEFINITE PERIOD AUTOMATICALLY *EXPIRE 24 MONTHS AFTER DATE OF ISSUANCE* IF NOT EXERCISED BY THAT TIME, AS PROVIDED BY SECTION 17.58.160(B)(1) OF THE PLACER COUNTY ZONING ORDINANCE.

-----OFFICE USE ONLY-----

DECISION OF HEARING BODY: On _____, the Planning Commission / Zoning Administrator approved / denied this application subject to the attached list of _____ findings/conditions.

-----FOR USE AFTER PUBLIC HEARING-----

I have read the above/attached conditions and will comply:

SIGNATURE OF APPLICANT: _____

PLEASE RETURN ONE SIGNED COPY

FILING INSTRUCTIONS - USE PERMITS

Use Permits (Minor or Conditional) shall only be approved subject to the findings as noted in Section 17.58.140(A) of the Zoning Ordinance. In conditionally approving a Use Permit, the granting authority shall adopt conditions of approval as necessary to accomplish the objectives as set forth in Section 17.58.140(B) of the Zoning Ordinance.

Complete an Initial Project Application, an Exemption Verification form and the Use Permit application (including Indemnification Agreement signature). Submit the applications and filing fee, along with the applicable number of maps (see "NOTE" below for information). Maps are to be drawn to an acceptable scale, no larger than 8½" x 11" (or **folded** to that size). **Site plans** shall contain the following information:

1. Boundary lines and dimensions of parcel(s);
2. Existing and proposed structures and their gross floor area in square feet, parking areas with spaces delineated, distance between structures and the distance from property lines;
3. The approximate area of the parcel, in square feet or acres;
4. Names, locations and widths of all existing traveled ways, including driveways, streets and right-of-ways on or adjacent to the property;
5. Approximate locations and widths of all proposed streets, right-of-ways, driveways and/or parking areas;
6. Approximate location and dimensions of all existing easements, well, leach lines, seepage pits or other underground structures;
7. Approximate location and dimensions of all proposed easements for utilities and drainage;
8. Approximate location of all creeks and drainage channels and a general indication of the slope of the land and all trees of significant size;
9. Accurately plot, label and show existing locations of the base and driplines of all protected trees (native trees 6" dbh or greater or multi-trunk trees 10" dbh or greater) within 50 feet of any development activity (i.e. proposed structures, driveways, cuts/fills, underground utilities, etc.) pursuant to Placer County Code, Chapter 12 (Tree Ordinance). NOTE: A tree survey prepared by an ISA certified arborist may be required. Verify with the Planning Division prior to submittal of this application;
10. Show all existing and proposed grading;
11. North arrow and scale of drawing;
12. **VICINITY MAP** showing the location of the subject property in relation to existing County roads and adjacent properties, sufficient to identify the property in the field to someone unfamiliar with the area. The distance to the closest intersection of County roads should be shown to the nearest 1/10th of a mile;
13. Assessors parcel number(s);
14. Name(s) of the project property owner(s) and applicant.

Where the proposed project includes the construction of a building(s), preliminary elevations should be provided in order to assist the staff and hearing body in reviewing the proposed project. (5 copies for Zoning Administrator items, and 15 for Planning Commission items.)

NOTE: Items to be heard by the Zoning Administrator require **One electronic version in PDF format** and **5 copies** of the site plan no larger than 8½ x 11 or **FOLDED** to that size. Items to be heard by the Planning Commission require 1 (one) electronic version in PDF format and a total of **15 full size copies** of the site plan **FOLDED** to 8½ x 11. (See Planning Division for applicable hearing body).

APPEALS - An appeal must be filed within 10 calendar days of the decision that is the subject of the appeal. An appeal application shall be submitted, along with the current filing fee, to the Planning Division. The appeal shall include any explanatory materials the appellant may wish to furnish. The Planning Commission or Board of Supervisors will be the hearing body that will consider the appeal (based on the type of Use Permit involved).

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon the entitlements conferred by Placer County permit approval(s), the applicant should consult with the California Department of Fish and Wildlife (DFW) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish and Wildlife Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. **The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.**



ORIGINAL SENT VIA CERTIFIED MAIL

November 22, 2021

Mathiopoulos 3M Family Ltd. Partnership
7945 King Road
Loomis, CA 95650

Alexander Mathiopoulos
7947 King Road
Loomis, CA 95650

Subject: 3M Event Center - Warning of Initiation of Code Enforcement Action

To Whom It May Concern:

On Thursday November 18, 2021, the Placer County Planning Services Division was contacted by the Placer County Sheriff's Office regarding the Blac Chyna on Black Friday event scheduled for November 26, 2021, as well as the multi-artist music event scheduled for December 10, 2021 (promotional handbills enclosed). Both events are scheduled to be held at the 3M Event Center located at 3129 Penryn Road, Penryn. According to information obtained from the Sheriff and the internet, these paid admission events will include dance areas, stages, amplified music, and are expected to include several hundred attendees to potentially more than 1,000 people in attendance.

You are hereby notified that the 3M Event Center is not a permitted land use, does not have a valid Business License or Use Permit, and is prohibited from conducting these events. You are further notified that if these events occur, a code enforcement action will be initiated against the property owner. Code enforcement action may include issuance of administrative citations resulting in fines for violations and/or administrative hearings to compel abatement. These issues have been discussed with the Placer County Sheriff's Office who may determine to abate the unauthorized events if, in their determination, a threat to public health or safety occurs.

If you have any questions or wish to discuss this further, feel free to call me at (530) 745-3065.

Respectfully,

George Rosasco
Planning Manager / Code Enforcement Supervisor

Enclosure: Blac Chyna on Black Friday Handbill
Multi-artist Music Event Handbill
May 10, 2019, Letter Pertaining to Requirement to Obtain Use Permit

cc: Steve Pedretti, Agency Director
E.J. Ivaldi, Planning Director
Tim Wegner, Deputy Director Building Services
Alex Fisch, Planning Services Division
Ryan Woessner, Placer County Fire
Ryan West, Placer County Sheriff Sergeant



sacpromotions

...

BOMBAY VIP PRESENTS

BLAC ON BLAC

Chyna *Friday*

ALL BLACK PARTY

NOVEMBER
26, 2021

HOSTED BY
Tooch

Princess Whore
BOMBAY-VIP
LIVE ENTERTAINMENT
DJ GIO

BOTTLE SERVICE
& VIP 916.583.2663
OR 916.806.4818

TICKETS ON [EVENTBRITE.COM](https://www.eventbrite.com) (ROSEVILLE AREA)

3M EVENT CENTER 3129 PENRYN RD. PENRYN, CA 95663

FLYER DESIGN BY: SWAGG FX 916.437.8777 IS: @SWAGGFX BREANTECHMEDIA.COM

\$100 MAN

Clean Team
ENTERTAINMENT

UNDER 30
ENTERTAINMENT

FRM KINGSTON JAMAICA
1ST TIME IN SACRAMENTO, CA



FRIDAY
DECEMBER
10TH

TWENTY-TWENTY ONE

Live On Stage
I-WAATA
Ballers & Bottles Edition

HOT 97

FRM NEW YORK CITY

YOUNG CHOW

FRM KINGSTON JAMAICA

BOOM BOOM

HARRY HYPE

BLACK RYNO

TRUMP BANTON

KICK BOXER



HOSTED BY:
MC NUFFY
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FOR INFO: 916-519-8595



May 10, 2019

3M Event Center
Attn.: Alexander Mathiopoulos
3129 Penryn Rd.
Loomis, CA 95650

Assessor's Parcel Number: 043-060-062-000

SUBJECT: Business License for 3M Event Center

Dear Mr. Mathiopoulos,

Our department recently received your application for a business license to review for 3M Event Center. Unfortunately I can't approve your license due to a Minor Use Permit being required for an event center. I have included the original Conditional Use Permit-Conditions of Approval with the pertinent highlighted sections. Also please find the enclosed application forms.

Should you have any questions you can contact me at 530-745-3030 or by email at eburns@placer.ca.gov.

Sincerely,

Erika Burns
Assistant Technician
Community Development Department | Planning Division
(530)745-3030 | eburns@placer.ca.gov





**CONDITIONS OF APPROVAL - CONDITIONAL USE
PERMIT/VARIANCE - PENRYN PARKWAY BUSINESS PARK
(CUP-2648/VAA-3616)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Conditional Use Permit (CUP-2648) authorizes the construction of one two-story professional office/retail buildings with a total floor space of 28,304 sq. ft.; seven one-story professional office/retail buildings with a total floor space of 26,336 sq. ft.; upgrading an existing gas station to include a new car wash, a new canopy, and two additional fuel dispensers; and construction of additional parking. The Design/Site Review process may reduce the total floor area of the proposed buildings as indicated above. This permit also approves a Variance (VAA-3616) to the parking requirement of 255 spaces to allow 225 spaces; to increase the size of two existing freestanding signs by allowing an additional 60 sq. ft. to the Interstate-80 (300 sq. ft. total) and to increase the Penryn Road sign from 32 sq. ft. to 64 sq. ft.

On May 8, 2003, the Planning Commission approved a two-year Extension of Time of this Permit. A Variance (VAA-4089) to the height limit was also approved allowing 33' for Building 6A/6B as shown on the approved site plan. Conditions 1 and 41 were modified.

On March 11, 2004, the Planning Commission approved a Conditional Use Permit Modification authorizing the relocation of the planned improvements to the existing gas station to the forth phase (new third phase) and inclusion of Buildings 2 and 3 in the first phase of construction along Buildings 1, 7, 8, & 9. Condition 1 was modified. Conditions 42 and 43 were added.

On January 10, 2008, the Planning Commission modified Conditions 1 and 3.

2. The following Standard Condition #'s ip3, 8, 13, 15, 20, 24, 27; g1; rt5, 11, 15; mc10; eh15, 27, 40; ps2; ap1, 2a, and 3, apply to this project as printed in Volume 7, Number 1, dated March 5, 2001, and as listed below 2 A) thru S).

A) Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. (CR/MM) (DPW)

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B) All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, formerly Chapter 29), Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and DPW concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the DPW.

Submit to the DPW a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/DPW for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/DPW to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. **(SR/CR) (DPW)**

C) Storm drainage from on-site impervious surfaces shall be collected and routed through specially designed catchbasins, vaults, filters, etc. for entrapment of sediment, debris and oils/greases as approved by DPW. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catchbasin cleaning program shall be provided to DPW upon request. Failure to do so will be grounds for

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Conditional Use Permit revocation. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(CR/MM) (DPW)**

D) **ADVISORY COMMENT:** This project is subject to construction-related storm water permit requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Any required permits shall be obtained through the State Regional Water Quality Control Board or EPA. **(FR/SR) (DPW)**

E) Provide the DPW with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(CR) (DPW)**

F) The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Departments of Environmental Health Services and Public Works a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. **(CR) (DPW/EHS)**

G) Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer. **(CR) (DPW)**

H) Prior to issuance of an Early Grading Permit to allow for on-site rough grading, the applicant must submit Improvement Plans and any related documents as required by these conditions of approval to DPW for review. The review for the initial submittal of the Improvement Plans must be completed by DRC and satisfactorily address issues relating to dust control, tree removal, wetlands, protective fencing, grading, drainage, and erosion control.

Upon DRC determination that an Early Grading Permit may be issued, the applicant shall prepare a separate Rough Grading Plan and submit it to DPW for review and approval. Separate plan check, inspection and winterization fees will be required and will be based on the engineer's estimate. If design/site review process and/or DRC review is required as a condition of approval for this project, said review(s) shall be completed prior to the issuance of the Early Grading Permit.

ADVISORY COMMENT: The Improvement Plans shall be approved by DPW prior to the issuance of any Building Permits. **(CR/MM) (DPW/PD)**

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I) Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the DPW prior to the approval of the Improvement Plans. Provide right-of-way dedications to the State, as required, to accommodate existing and future highway improvements. **(SR/CR) (DPW)**

J) All on-site parking and circulation areas shall be improved with a durable, all-weather surface capable of supporting anticipated vehicle loadings.

ADVISORY COMMENT: It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(CR) (DPW)**

K) An Encroachment Permit shall be obtained from DPW prior to Improvement Plan approvals for any landscaping within public road rights-of-way. **(CR) (DPW)**

L) During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(CR) (DPW)**

M) Construction noise emanating from any construction activities for which a Building Permit or Grading Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:

A) Monday through Friday, 6:00 AM to 8:00 PM

B) Saturdays, 8:00 AM to 6:00 PM

This condition shall be noted on the Improvement Plans and in the Development Notebook, if one is required for this project.

ADVISORY COMMENT: Essentially, quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions. **(CR) (EHS/PD)**

N) Contact Environmental Health Services, pay required fees, and obtain a permit to operate a food establishment prior to opening for business. All food handling operations shall comply with the requirements of Placer County Code and the California Uniform Retail Food Facilities Law. **(SR/CR) (EHS)**

O) **ADVISORY COMMENT:** If Best Management Practices are required by the DPW for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. **(CR) (EHS)**

P) Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. **(CR) (EHS)**

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Q) The applicant shall submit a dust control plan to the APCD no later than 45 days prior to groundbreaking. The applicant shall not break ground prior to receiving APCD approval of the dust control plan. **(MM) (APCD)**

R) The applicant shall ensure that no open burning occurs on this property during the development of this project. **(CR/MM) (APCD)**

S) The applicant shall ensure that the project conforms with all APCD Rules and Regulations. Contact the APCD to review any rules that may apply to specific types of projects. **(CR) (APCD)**

3. This Conditional Use Permit can be developed in a single phase or in as many as five phases. The phasing plan is located on the approved site plan. The first phase must be developed within two years of the approval of this permit. The project shall be considered exercised by satisfying the requirements of Section 17.58.160 of the Placer County Zoning Ordinance (Permit Time Limits, Exercising of Permits, and Extensions).
4. The perimeter landscaping and irrigation and the sidewalk and trail along Penryn Road shall be installed with the first phase.
5. Each phase shall be required to satisfy the parking requirements for the building use and size proposed.
6. All phases of this project shall be subject to review and approval by the Placer County Design/Site Review Committee (D/SRC). The Penryn MAC shall review the first phase of the project. Such a review shall be conducted prior to the submittal of the Improvement Plans for the project and shall include, but not be limited to: architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; recreational facilities; snow storage areas; recreation vehicle storage area(s); fences and walls; noise attenuation barriers; all open space amenities; etc. **(CR) (PD)**
7. Prior to the Design Review approval for the first phase, the applicant shall submit to the D/SRC for review and approval design guidelines for development of all phases approved by this Conditional Use Permit. The design guidelines shall be reviewed by the Penryn Municipal Advisory Council (MAC).

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8. The buildings approved by this permit shall be constructed to reflect the areas historical nature (i.e. Japanese heritage, Gold Rush era, English settlement).
9. The following uses shall not be permitted within this development:
 - a. Outdoor storage or sales
 - b. Drive-thru restaurants
 - c. Truck stop or terminals
 - d. Any other use considered by the Planning Director **not** to be consistent with this Conditional Use Permit approval.
10. The following uses shall be permitted within the development in addition to what currently exists:
 - a. Restaurants, with an approved parking plan
 - b. Banks and Financial Services
 - c. Offices
 - d. Low Intensity Retail Sales
 - e. Business Support Services
 - f. Personal Services
 - g. Any other use considered by the Planning Director to be consistent with the C1 (Neighborhood Commercial) Zoning and this Conditional Use Permit.
11. All exterior lighting associated with the development of this project shall implement the dark sky standards as set forth by the Illuminating Engineering Society of North America (IESNA) to the maximum extent possible. Light poles shall not exceed 14' from ground level to the top of the fixture. Final details of the lighting proposal shall be determined as a part of the Design
12. If there is any business that proposes to locate within the complex that requires similar parking standards as the restaurant or is patronized during the evening, the DRC shall review and approve a parking plan for that business prior to issuance of a business license.

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13. Any change in use of the existing buildings currently located on-site shall require review and approval by the DRC prior to issuance of a building permit or business license approval.
14. All phases of the project shall maintain a 7.5' setback from the buildings to the northern and eastern property line. The 7.5' setback is intended for landscaping and therefore does not include the area needed for the retaining wall
15. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project.

Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. (SR/CR/MM) (PD)
16. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$880 for projects with Environmental Impact Reports and \$1,280 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination (which the County is required to file within 5 days of the project approval) is not operative, vested or final and shall not be accepted by the County Clerk. (SR) (PD)
17. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as Penryn Parkway Business Park. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an

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administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision.

This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (CC)

18. The applicant shall obtain a construction Activity Storm Water Permit for the project from the California Regional Water Quality Control Board prior to Improvement Plan approval for the first phase.

IMPROVEMENT PLANS

19. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the DPW for review and approval of each project phase. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the DPW prior to acceptance by the County of site improvements.

ADVISORY COMMENT: Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety. (SR/CR/MM) (DPW)

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ADVISORY COMMENT: Technical review of the Final Map shall not commence until the Improvement Plans are approved by the DPW. **(CR)(DPW)**
The applicant shall provide 5 copies of the approved Tentative Map and 2 copies of the approved conditions with the plan check application.

20. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the DPW for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall address storm drainage during construction and thereafter and shall propose "Best Management Practice" (BMP) measures to reduce erosion, water quality degradation, etc. Said BMP measures for this project shall include: Minimizing drainage concentration from impervious surfaces, construction management techniques, erosion protection at culvert outfall locations, filter fabric fencing, straw bale barriers, san/oil separators, hydroseeding and landscaping. **(CR/MM) (DPW)**
21. Storm water run-off shall be reduced to of pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of DPW. The DPW may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(CR/MM) (DPW)**
22. Submit to DPW, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:
 - A) Road, pavement, and parking area design
 - B) Structural foundations, including retaining wall design (if applicable)
 - C) Grading practices
 - D) Erosion/winterization

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- E) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the DPW, two copies of the final report shall be provided to the DPW and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, would lead to structural defects, additional investigations, prior to issuance of Building Permits, may be required. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(SR/CR/MM) (DPW)**

ROADS/TRAILS

- 23. Construct a commercial driveway onto Penryn Road to a Plate 23, LDM standard. The design speed of the roadway shall be 35 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. **(CR) (DPW)**
- 24. Construct a left-turn lane at the project entrance at Penryn Road. Traffic striping shall be done by the developer's contractor. The removal of existing striping and other pavement markings shall be completed by the developer's contractor. The design shall conform to criteria specified in the latest version of the Caltrans *Highway Design Manual* for a design speed of 35 mph, unless an alternative is approved by DPW. **(CR/MM) (DPW)**
- 25. With the project's first phase construct one-half of an 84' road section plus concrete curb, gutter, and a 6'-wide sidewalk where the project fronts Penryn Road, as measured from the existing centerline thereof or as directed by the DPW. Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bikelanes, or conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB, unless otherwise approved by DPW. **(CR) (DPW)**

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26. Delineate a Class III bikeway along the project's frontage on Penryn Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to DPW/DRC review and approval. **(CR) (DPW)**

27. Public equestrian/pedestrian trails shall be provided in conjunction with the first phase of the project as follows. Maintenance of all trails shall be by the property owner. Provide an Irrevocable Offer of Dedication (IOD) to the County for a minimum 15' wide trail (or as otherwise approved by the Parks Division). This trail shall be a public, non-motorized, multi-use trail easement routed along the project's frontage along Penryn Road. The trail shall provide access to properties to the north and south of the project. The trail shall be constructed to the following standards, unless otherwise approved by the Parks Division. The tread width shall be a minimum of 4'-6' (outslope at ½" per foot). Tread shall be graded and constructed of 4" compacted, decomposed granite. Clearing should be 10' above ground, and 1' on either side of the trail tread. Water must be diverted from the trail's surface before it builds up to erosive force. To divert water, use outslopes, grade dips, waterbars, and ditches in conjunction with inslopes and culverts. The crossing of any wetland areas shall also be reviewed and approved by the DRC, Parks Division, and the Department of Fish and Game, and shall be bridged to provide public safety while preserving the existing wetlands habitat. Seeding, and planting as necessary for erosion control shall also be reviewed by the Parks Division.

ADVISORY COMMENT: It is intended that the trail network plan be flexible. Changes to the location described in this condition may be made with the mutual consent of the applicant, the DRC, Parks Division, and other interested parties.

Multi-use trails located adjacent to the thoroughfares shall be placed as far as practical from the traveled way, while remaining within the right-of-way. **(CR) (DPW/PD/DFS)**

ENVIRONMENTAL HEALTH

28. The project shall conform to the Noise Element of the Horseshoe Bar Penryn Plan and the environmental document. Buildings located along the freeway will require enhanced window construction on the freeway side of the buildings. The windows will need to be of sealed construction with ½ inch plate glass if single pane or dual pane with ½ inch glass and a minimum of ½ inch air space. **(CR/MM) (EHS)**

29. The owner of this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. **(CR) (EHS)**

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PUBLIC SERVICES

30. Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from SPMUD indicating that the district can and will provide sewerage service to the project. Connection of each lot in this project to sanitary sewers is required. **(CR) (EHS)**
31. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:
- A) **(Pacific Gas & Electric Company)**
 - B) **(SPMUD Sewer District)**
 - C) **(PCWA Water District)**
 - D) **(Auburn/Placer Refuse Collection Company)**
- If such "will serve" letters were obtained as a part of the environmental review process, and are still valid, they shall not be required again. **(CR) (DPW)**
32. Prior to the approval of the Improvement Plans, submit to Environmental Health Services, for review and approval, a "will-serve" letter or a "letter of availability" from PCWA for domestic water service. The applicant shall connect the project to this treated domestic water supply. **(CR) (EHS)**

GENERAL DEDICATIONS/EASEMENTS

33. Dedicate to Placer County one-half of an 84'-wide highway easement (Ref. Chapter 12, Article 12.08 (formerly Chapter 4, Subchapter 5, Placer County Code) where the project fronts Penryn Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the DPW. **(CR) (DPW)**

NOTIFICATION TO FUTURE BUYERS

34. Electrical outlets shall be installed on the exterior walls of all buildings to promote the use of electric landscape maintenance equipment. **(APCD)**

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35. The applicant shall provide reserved parking spaces for carpools. These spaces shall be identified with a sign or marking on the asphalt indicating parking only for carpools. (APCD)

FEES

36. The applicant shall implement sufficient off-site mitigation strategies to reduce the project's long-term criteria (*i.e.*, ozone precursor, particulate matter, carbon monoxide) air pollutant emissions below the District's significance threshold. In lieu of implementing an off-site mitigation program, the applicant can agree to pay into the Air Pollution Control District's Off-site Air Quality Mitigation Fund an amount of money equal to reducing the project's increase in air pollutant emissions. The Air Pollution Control District uses this money to reduce air pollution emissions throughout Placer County from sources of emissions that are not required by law to reduce their emissions. Based on the project's current development proposal, the applicant would have to pay \$7,500 into the Off-site Air Quality Mitigation Fund to reduce 40% of this project's emissions.
37. **ADVISORY COMMENT:** This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code.) The current estimated development fee is \$1,677 per acre, payable to DPW prior to building permit issuance. The actual fee shall be that in effect at the time payment occurs. (CR) (DPW)
38. **ADVISORY COMMENT:** This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code). Prior to building permit final, the applicant shall cause the subject property to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$344 per acre. (CR) (DPW)
39. **ADVISORY COMMENT:** This project is subject to payment of traffic impact fees as prescribed by the *Placer County Road Network Traffic Limitation Zone and Traffic Fee Program*

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The current estimated fee is \$3,570 per dwelling unit equivalent, however, the actual fee paid will be that in effect at the time payment occurs. This fee is payable prior to the issuance of any Building Permit on any lot or for any portion of the project. **(CR) (DPW)**

40. The applicant shall enter into an agreement with Placer County DPW to employ a third party (outside) consultant to provide inspection services on all on and off-site improvements associated with the Project's Improvement Plans. All costs involved in providing the inspection services shall be borne by the applicant.
41. The applicant shall have 24 months to exercise this Conditional Use Permit/Variance. Unless exercised pursuant to Condition #2, this approval shall expire on May 24, 2005. **(SR/CR) (PD)**
42. No building permit finals, authorized by this Conditional Use Permit, shall be granted until installation of the perimeter landscaping and irrigation along Interstate-80 and Penryn Road and construction of the sidewalk and trail along Penryn Road have been completed.
43. Approval of a Building permit final for Buildings 1, 2, and 3 can be granted in advance of a building permit final for Buildings 7, 8, and 9 subject to satisfying all Placer County Building Department requirements for a building permit final and satisfying the requirements imposed by condition #42.

MAY, 2001

MAY, 2003

MARCH, 2004

JANUARY, 2008

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O:\PLUS\PLN\CONDITIONS FINAL\CUP-2648 PENRYN PAKWAY BUSINESS PARK

**PLACER COUNTY
COMMUNITY DEVELOPMENT RESOURCE AGENCY
Environmental Coordination Services**

3091 County Center Drive, Suite 190, Auburn CA 95603

Telephone: 530-745-3132 Fax: (530) 745-3003

Web Page: <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvc.aspx>

PRE-DEVELOPMENT MEETING PACKAGE

1. Meeting Request Form

2. Site Plan Requirements

When is a Pre-Development Meeting required?

A mandatory Pre-Development Meeting is required prior to submitting an Environmental Questionnaire (EQ) for any of the following projects: Conditional Use Permits, Major Subdivisions (over 4 lots), General Plan Amendments, Rezoning and Specific Plans.

Can a Pre-Development Meeting be scheduled if not required?

Yes, an applicant can request a voluntary Pre-Development Meeting when the project does not fall within the categories above (for example, Minor Use Permit, Minor Land Division also known as Parcel Map, Variance, Design Review, etc).

Who attends Pre-Development Meetings?

The applicant and/or representative will meet with staff from the Planning Division, Engineering and Surveying Division, DPW Transportation, Parks and Environmental Engineering & Utilities in Facility Services, Environmental Health Services, Air Pollution Control District, Flood Control District, Fire Department, Sheriffs, and Building Division.

What is the purpose of the Pre-Development Meeting?

The purpose is to advise applicants of the procedural and informational requirements for submitting an EQ prior to obtaining a permit for a new land development project in Placer County.

Is there a fee for a Pre-Development Meeting?

Yes, the non-refundable filing fee for a Pre-Development Meeting shall accompany this Meeting Request Form. Checks shall be made payable to "Placer County".

What happens after the meeting?

Based on the various department checklists provided at the Pre-Development Meeting, it is the responsibility of the applicant or their representative to gather all pertinent information and any required technical studies needed. Once an EQ is ready to be submitted, please contact Environmental Coordination Services at 530-745-3132 to schedule an appointment to submit the application and required processing fees.

- ✓ Once a Pre-Development Meeting has been held, an EQ will not be accepted without an appointment with Environmental Coordination Services.
- ✓ The more detailed information you provide in advance, the more detailed information you will receive at the Pre-Development Meeting.
- ✓ The information provided at the Pre-Development Meeting expires one year after the date of the meeting.

**THIS IS NOT AN APPLICATION.
ADDITIONAL SITE PLANS & DETAILED INFORMATION WILL BE REQUIRED WITH
THE ENVIRONMENTAL QUESTIONNAIRE (EQ) APPLICATION
and/or PROJECT APPLICATION.**

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PRE-DEVELOPMENT MEETING REQUEST FORM

FOR INTAKE, STAFF USE ONLY

File # _____

Fee Paid _____ Receipt # _____ Date Received: _____

Received By _____ Zoning _____

APPLICANT: Complete all sections below that apply. Please print legibly.

Applicant Name _____ Company _____

Street Address _____

City _____ State _____ Zip Code _____

Day Phone _____ Fax _____ E-Mail _____

Owner's Name _____ Company _____

Street Address _____

City _____ State _____ Zip Code _____

Day Phone _____ Fax _____ E-Mail _____

APN (s) _____

Project Proposal _____

Development Site Address or Location _____

Cross Street _____ Sq. ft./Acreage _____

1. **Attach one copy of Assessor's Page with parcel identified.**
2. **Attach twenty (20) 8.5 x 11 inch conceptual site plans of the project** (or larger and folded to same size). The plan must be clear, legible and reproducible, and must include the following information:
 - Subdivisions – Conceptual layout of proposed subdivision design (approximate location of lots, roads, etc.).
 - Commercial projects – Existing and proposed structures (gross floor area) and parking areas.
 - Approximate area of the parcel (in square feet or acres).
 - All existing and proposed streets and/or parking areas.
 - Approximate location of all creeks.
 - Appropriate location of trees.
 - North arrow and approximate scale of drawing.
 - Vicinity map which shows the location of the subject property, in relation to existing County roads and adjacent properties, sufficient to identify the property in the field for someone unfamiliar with the area. The distance of the closest intersection of County roads should be shown to the nearest 1/10th of a mile.

Note: Conceptual building elevations must be submitted for design review requests.

Please complete this chart. Write "N/A" if a specific description does not apply to the proposal.

ALL PROPOSALS	EXISTING	PROPOSED
Uses and structures on property		
On-site parking		
Hours of operation		
Number of employees		
Number of residents		
Number of clients/users		
Square footage		
Number of stories		
Number of residential units		
Streets providing site access		
Water supply: If groundwater, is there known contamination? Y___ N___		
Sewer Connection: Does project propose to connect to a public sewer system? Y___ N___		
Sewage disposal: If on-site treatment and disposal is proposed, has soil testing been performed: Y___ N___ If Yes, when (date):_____		
Public use canal or waterway on site		
Other streams on site		
Underground storage tanks		
Is project a sensitive noise receptor (e.g. residential, school, offices)? Y___ N___ If Yes, what is nearby? What is noise source?		
Hazardous substance use		
Identify past/proposed land uses, i.e. industrial/commercial, agriculture, mining		
What are the surrounding land uses?		
For properties located within zoning districts that allow the keeping of cattle and livestock, does this proposal include allowing for the keeping of cattle and livestock?		

LAND DIVISIONS		
Number of lots		
Types of housing		

List any specific questions that you want answered at the Pre-Development Meeting:

1. _____
2. _____
3. _____
4. _____
5. _____

**THIS IS NOT AN APPLICATION.
ADDITIONAL SITE PLANS & DETAILED INFORMATION WILL BE REQUIRED
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PLACER COUNTY PLANNING SERVICES DIVISION

AUBURN OFFICE
3091 County Center Dr, Auburn, CA 95603
530-745-3000/FAX 530-745-3080
Website : www.placer.ca.gov
E-mail : planning@placer.ca.gov

TAHOE OFFICE
775 North Lake Blvd., Tahoe City, CA 96146
PO Box 1909, Tahoe City, CA 96145
530-581-6280/FAX 530-581-6282

INITIAL PROJECT APPLICATION

(For Office Use Only)

G.P. Designation _____ Posters _____ File #'s _____
_____ Affordable Housing _____
General Plan/Community Plan _____ Taxes _____ Accepted by _____
_____ Tax Rate Area _____ Date filed _____
Zoning _____
Major Project: Yes ____ No ____ Geographic Team: _____ Hearing Body _____
Pre-Development Meeting Date _____ Acceptable for Filing _____
Planner Signature _____

-- TO BE COMPLETED BY THE APPLICANT --

1. Project Name _____
2. Property Owner _____
Mailing Address _____
Telephone _____ Fax _____ E-Mail _____
3. Applicant _____
Mailing Address _____
Telephone _____ Fax _____ E-Mail _____
4. Size of Property (acreage or square footage) _____
5. Assessor's Parcel Number(s) _____
6. Project Location _____

(Be specific: cross streets, distance and direction from nearest intersection, etc.)

7. What actions, approvals, or permits by Placer County does the proposed project require?
- | | | |
|-----------------------------------|--|-------------------------------------|
| ____ Additional Building Site | ____ Environmental Questionnaire | ____ Minor Use Permit |
| ____ Administrative Approval | ____ Extension of Time | ____ Project undertaken by County |
| ____ Administrative Review Permit | ____ General Plan Amendment | ____ Rezoning |
| ____ Certificate of Compliance | ____ Major Subdivision (5+ parcels) | ____ Specific Plan Admin. Modif. |
| ____ Conditional Use Permit | ____ Minor Boundary Adjustment | ____ Specific Plan Amendment |
| ____ Design Review | ____ Minor Subdivision (4 and under parcels) | ____ Specific Plan Density Transfer |
| ____ Other – Explain _____ | | ____ Variance |

Does the proposed project need approval by other governmental agencies? ____ Yes ____ No. If so, which agencies? _____

8. Which agencies, utility companies provide the following services? **This information must be ACCURATE!**

Electricity _____ Fire Protection _____ Sewer _____
Telephone _____ Natural Gas _____ Water _____
High School _____ Elementary School _____ Other _____

9. Describe the project in detail so that a person unfamiliar with the project would understand the purpose, size, phasing, duration and construction activities associated with the project. In response to this question, please attach additional pages, if necessary.

10. I hereby authorize the above-listed applicant to make application for project approvals by Placer County, to act as my agent regarding the above-described project, and to receive all notices, correspondence, etc. from Placer County regarding this project, or

11. As owner I will be acting as applicant. In addition, as owner, I will defend, indemnify, and hold Placer County harmless from any defense costs, including attorneys' fees or other loss connected with any legal challenge, brought as a result of an approval concerning this entitlement. I also agree to execute a formal agreement to this effect on a form provided by the County and available for my inspection.

12. The signature below authorizes any member of the Placer County Development Review Committee (DRC), and other County personnel as necessary, to enter the property/structure(s) that is (are) the subject of this application.

Signature(s) of Owner(s):

Please Print

If application is for a Boundary Line Adjustment, signature of both the transferring and acquiring property owners are required. Boundary Line Adjustments shall not be used to create new parcels.

Signature of Transferring Property Owner

Please Print

Signature of Acquiring Property Owner

Please Print

The Planning Division is prohibited from accepting applications on tax delinquent properties pursuant to Board of Supervisors direction.

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon the entitlements conferred by Placer County permit approval(s), the applicant should consult with the California Department of Fish & Game (DFG) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish & Game Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. Fees may be required to be paid to the Department of Fish and Game for their participation in the environmental review process as required by State law. **The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.**



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EXEMPTION VERIFICATION

Fee \$ _____ Receipt # _____ Accepted by _____ Date Received: _____ Permit #: _____

--TO BE COMPLETED BY APPLICANT--

Assessor's Parcel Number(s) _____
Property Owner _____
Mailing Address _____ City _____ State _____
Phone _____ E-mail address _____
Project Location – Be Specific _____
Proposed Project _____

For Extension of Time applications only: Was an environmental document previously adopted/certified?
If yes provide State Clearinghouse Number here: _____ If no complete checklist below.

YES NO

YES NO

1. Are any trees located on the property within 50' of any proposed grading? (if yes, show all tree locations and their driplines within 50' of any grading activity) _____
2. Is the project within a floodplain? _____
3. Are any archaeological, cultural, or historical sites present? _____
4. Are any wetlands, riparian areas, or vernal pools present onsite? _____
5. Are any rare, threatened, or endangered species present onsite? _____
6. Is the project within an overflight zone of any airport? _____
7. Can the project impact, or be impacted by, either landfill operations, or sewage disposal facilities? _____
8. Is the project within the Tahoe Basin? _____
9. Is there any grading associated with this project? _____
10. Is there a significant amount (10,000 sq. ft. or more) of impervious surface (paving, roof, sidewalk, etc.) proposed? _____
11. Is there a potential for increased traffic? _____

Signature of individual completing this form _____

Printed name and telephone number _____

--TO BE COMPLETED BY REVIEWER--

Previous Environmental Document (Extension of Time applications only) _____
Categorical Exemption Class and Number _____
Project Planner _____
Field Verification Date _____
Field Planner _____
Name _____ Title _____



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CONDITIONAL USE PERMIT/MINOR USE PERMIT

Filing fee: \$ _____ Type: _____
Receipt # _____

File # _____
Hearing Date _____

-----TO BE COMPLETED BY THE APPLICANT-----

1. Project Name _____
2. Applicant _____
Mailing Address _____
Telephone _____ E-Mail _____
3. Project Description _____

PLEASE SUBMIT A WELL-DETAILED SITE PLAN (see instructions for requirements)

4. Assessor's Parcel Number(s) _____
5. Applicable County Code section requiring Use Permit _____

SIGNATURE OF APPLICANT: _____

INDEMNIFICATION AGREEMENT: *I, the Applicant, will defend, indemnify, and hold harmless the County from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of an approval concerning this Entitlement. I also agree to execute a formal agreement to this effect on a form provided by the County and available for my inspection.*

SIGNATURE OF APPLICANT: _____

PERMITS GRANTED FOR AN INDEFINITE PERIOD AUTOMATICALLY EXPIRE 24 MONTHS AFTER DATE OF ISSUANCE IF NOT EXERCISED BY THAT TIME, AS PROVIDED BY SECTION 17.58.160(B)(1) OF THE PLACER COUNTY ZONING ORDINANCE.

-----OFFICE USE ONLY-----

DECISION OF HEARING BODY: On _____, the Planning Commission / Zoning Administrator approved / denied this application subject to the attached list of _____ findings/conditions.

-----FOR USE AFTER PUBLIC HEARING-----

I have read the above/attached conditions and will comply:

SIGNATURE OF APPLICANT: _____

PLEASE RETURN ONE SIGNED COPY

FILING INSTRUCTIONS - USE PERMITS

Use Permits (Minor or Conditional) shall only be approved subject to the findings as noted in Section 17.58.140(A) of the Zoning Ordinance. In conditionally approving a Use Permit, the granting authority shall adopt conditions of approval as necessary to accomplish the objectives as set forth in Section 17.58.140(B) of the Zoning Ordinance.

Complete an Initial Project Application, an Exemption Verification form and the Use Permit application (including Indemnification Agreement signature). Submit the applications and filing fee, along with the applicable number of maps (see "NOTE" below for information). Maps are to be drawn to an acceptable scale, no larger than 8½" x 11" (or folded to that size). **Site plans** shall contain the following information:

1. Boundary lines and dimensions of parcel(s);
2. Existing and proposed structures and their gross floor area in square feet, parking areas with spaces delineated, distance between structures and the distance from property lines;
3. The approximate area of the parcel, in square feet or acres;
4. Names, locations and widths of all existing traveled ways, including driveways, streets and right-of-ways on or adjacent to the property;
5. Approximate locations and widths of all proposed streets, right-of-ways, driveways and/or parking areas;
6. Approximate location and dimensions of all existing easements, well, leach lines, seepage pits or other underground structures;
7. Approximate location and dimensions of all proposed easements for utilities and drainage;
8. Approximate location of all creeks and drainage channels and a general indication of the slope of the land and all trees of significant size;
9. Accurately plot, label and show existing locations of the base and driplines of all protected trees (native trees 6" dbh or greater or multi-trunk trees 10" dbh or greater) within 50 feet of any development activity (i.e. proposed structures, driveways, cuts/fills, underground utilities, etc.) pursuant to Placer County Code, Chapter 12 (Tree Ordinance). NOTE: A tree survey prepared by an ISA certified arborist may be required. Verify with the Planning Division prior to submittal of this application;
10. Show all existing and proposed grading;
11. North arrow and scale of drawing;
12. **VICINITY MAP** showing the location of the subject property in relation to existing County roads and adjacent properties, sufficient to identify the property in the field to someone unfamiliar with the area. The distance to the closest intersection of County roads should be shown to the nearest 1/10th of a mile;
13. Assessors parcel number(s);
14. Name(s) of the project property owner(s) and applicant.

Where the proposed project includes the construction of a building(s), preliminary elevations should be provided in order to assist the staff and hearing body in reviewing the proposed project. (5 copies for Zoning Administrator items, and 15 for Planning Commission items.)

NOTE: Items to be heard by the Zoning Administrator require **One electronic version in PDF format and 5 copies** of the site plan no larger than 8½ x 11 or **FOLDED** to that size. Items to be heard by the Planning Commission require 1 (one) electronic version in PDF format and a total of **15 full size copies** of the site plan **FOLDED** to 8½ x 11. (See Planning Division for applicable hearing body).

APPEALS - An appeal must be filed within 10 calendar days of the decision that is the subject of the appeal. An appeal application shall be submitted, along with the current filing fee, to the Planning Division. The appeal shall include any explanatory materials the appellant may wish to furnish. The Planning Commission or Board of Supervisors will be the hearing body that will consider the appeal (based on the type of Use Permit involved).

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon the entitlements conferred by Placer County permit approval(s), the applicant should consult with the California Department of Fish and Wildlife (DFW) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish and Wildlife Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. **The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.**

